Self-Understanding and Narrative Explanation

by

Sydney M. Keough

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Doctoral Committee:

Professor Elizabeth Anderson, Chair
Professor Daniel Herwitz
Associate Professor Ishani Maitra
Professor Laura Ruetsche

Sydney M. Keough

smkeou@umich.edu

ORCID iD: 0000-0002-2082-6470

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Abstract

Disruptions in our routines often give rise to self-reflection. When events unfold in ways that are contrary to our expectations, we may find ourselves facing the task of reconsidering what we value, how we got here, and who we are. Frequently, we attempt to address this need for reevaluation by telling stories about ourselves. When our storytelling goes well, our narrative self-explanations afford us both epistemic and practical goods: self-understanding, justification, and facility with planning for the future. Conversely, when our storytelling efforts are interrupted, poorly received, or founded on false views about ourselves, our access to those same goods may be severely undermined. This is because narrative explanations are integral tools for making sense of changes in our circumstances and attitudes.

My dissertation vindicates these claims about the function and significance of narrative explanation by revealing its connection to self-understanding. I argue both that a suitably multifarious set of self-stories can contribute to achievements in self-understanding, and that self-understanding can be impaired by iniquities in the creation and dissemination of our collective cultural narratives.

The dissertation begins by motivating an account of self-understanding according to which understanding oneself is the activity of producing and sharpening increasingly adequate self-descriptions. The more adequate a given self-description is, the better it will: (a) accurately reflect how one is; (b) make interpretive sense of one's past, and of how one's past relates to one's present & future; and (c) afford one reliability in predicting how one will react to future experiences. Much of what we seek to understand about ourselves is trajectory dependent. Self-

understanding, unlike knowledge, is not an epistemic state achieved once and then maintained unless undermined or rebutted by defeating evidence.

The dissertation then proceeds to establish the central role that narrative explanation plays in both the loss and subsequent reclamation of self-understanding in cases of sexual assault. Disruptions in survivors' self-understandings operate via the wide-spread acceptance of cultural rape narratives. These narratives establish norms of sentiment and conduct, which set expectations for how 'genuine' survivors should feel and behave. When survivors deviate from these normative expectations it becomes difficult for them (and others) to make sense of either the experience, or of their responses to that experience.

Subsequent achievements in self-understanding are often realized by formulating alternative narrative explanations. The constraints on this process reveal the ways in which self-understanding is socially mediated. Self-understanding will be socially mediated insofar as one's self-descriptions involve our publicly available lexicons of meaning. Further, how we represent ourselves (even when we are just attempting to do so *for ourselves*) depends on how others—actual or imagined—will receive that representation. Achieving self-understanding ineliminably involves trying oneself out before others.

The dissertation concludes by advocating in favor of MacKinnon's account of rape as forced sex over alternative conceptions of rape that centrally rely on consent. I argue that jettisoning consent as the concept integral to distinguishing permissible from impermissible sexual interactions allows us to: (1) better understand the variety of wrongs beyond violations of autonomy that can occur in sexual contexts and (2) characterize a regulative ideal for social-sexual interactions: ongoing responsiveness to one's partner(s). Ongoing responsiveness requires

more robust inquiry into the context surrounding the sexual interaction than does permission-seeking.

Chapter 1 Introduction

This dissertation aims to delineate the epistemic constraints that survivors of sexual assault face when attempting to represent themselves to themselves for the purpose of achieving self-understanding. To accomplish this aim, I defend an account of self-understanding as a socially mediated activity and detail the ways that a specific subset of representations, narrative explanations, can impact the project of understanding oneself. I argue both that a suitably multifarious set of narrative self-explanations can contribute to achievements in one's self-understanding, and that self-understanding can be impaired by iniquities in the creation and dissemination of our collective cultural narratives—that is, the story schemas we use to categorize and interpret particular life events (e.g., our 'Rags to Riches' stories, 'Prodigal Son' stories, the 'Spurned Woman Gets Revenge', etc.). This reveals narrative self-explanation as a practice that can cut both ways: narratives, as vehicles of affect-laden content, can be distorting and even harmful, but they also have the potential to be richly illuminating and clarificatory.

The first substantive chapter, "Narrative Explanation & Misunderstanding," reveals the central role that narrative explanations play in the persistence of the epistemic difficulties that frequently accompany experiences of sexual assault. These difficulties include: (a) being unable to understand one's experience of assault; (b) being able to understand oneself in light of that experience; and (c) being unable to successfully communicate the normative significance of one's experience to others. One distinctive feature of narrative explanations is that they aim to explain not just what happened and how it happened, but also the emotional meaning and significance of their explanatory targets. Settling the emotional significance of an event gives rise to expectations

of response. When survivors deviate from these expectations it becomes difficult for them (and for others) to make sense of either the experience of rape, or of survivors' responses to that experience. This diagnosis of disruptions in survivors' understanding contributes to the literature on hermeneutical injustice by revealing: (i) some of the ways that the presence of pernicious interpretive resources, rather than a paucity of resources, can lead to epistemic difficulty, and (ii) the distinctive role that shame often plays in maintaining epistemic difficulty.

One practical upshot of the diagnostic work in the second chapter is the need to alter our collective interpretive resources—to expand and refine our conceptual repertoires and to create alternative narrative schemas. This work will help facilitate survivors' efforts to formulate increasingly adequate descriptions of their experiences of assault and of who they are in light of these experiences. However, though critically important, conceptual and narrative engineering will not offer sufficient conditions of possibility for the project of self-understanding. In addition to requiring adequate resources out of which to build one's self-representations, the activity of self-understanding requires enjoying a shared reality with (at least some) others. The second substantive chapter, "Self-Understanding Is Socially Mediated," examines the ways in which self-understanding depends on the reception of others. Self-understanding is subject to what I call an "Evidence Effect" and a "Selection Effect":

I. Evidence Effect: The receptions of others impact the <u>trajectory</u> of activity of self-understanding. Taking up the perspective of others (including imaginary others) facilitates the activity of understanding oneself.

II. Selection Effect: The reception of others impacts the <u>target</u> of the activity of self-understanding. The reception of others partially determines what about us (our histories, our social positions, our choices) is important by persistently raising those

> things to salience. And, the targets of self-understanding are the important features of oneself. So, the reception of others sets the targets of self-understanding and in so doing partially determines what counts as successfully understanding oneself.

Certainly, people can be wrong about us. For instance, I could believe you're a coward and treat you like a coward even though you're courageous. Treating you like a coward doesn't make you a coward, but it does render salient your dispositions to action under dangerous circumstances—and in so doing, it makes this dispositional feature of your character important. People can also be mistaken about what *should* be important about us. So, I could correctly believe that you're a beautiful woman. And those could be features of yourself that, were it not for my treatment of you qua beautiful or qua woman, would not have been important to you. Indeed, it could be that those features *should not* be important—or, at least, not as important as I take them to be. Nevertheless, because you are confronted by my treatment of you qua woman (or inescapably confronted by a range of others' treatments of you qua woman), being a woman becomes an important feature of yourself, and consequently becomes a target of self-understanding. One upshot of the necessity of trying oneself out before others is that narrative explanations become especially felicitous vehicles for self-understanding--both for acquiring it and also for successfully communicating it to others.

The third substantive chapter, "Ongoing Responsiveness as an Ideal of Sexual Interaction," takes up the challenge presented in the second chapter by working directly on the interpretive resources that were diagnosed as disruptive and unhelpful in survivors' efforts to understand their experiences of assault. The chapter argues in favor of MacKinnon's (2016) conception of rape as forced sex over accounts of rape as nonconsensual sex and offers an expansion of her 'welcomeness' standard for ethical sex. The aim of the chapter is to move us

away from the project of characterizing permissible and impermissible sex and to redirect our attention toward the formulation of regulative ideals for social-sexual interactions. That is, to move away from thinking about our negative rights to non-interference and the various kinds of permissions that can (and can't) waive those rights and to move toward thinking about our positive rights to certain duties owed to us in high stakes, intimate encounters.

I contend that what is owed is an ongoing responsiveness to one's sexual partners. When one is engaged with someone in an intimate, high-stakes encounter one must be continually receptive to how one's partner is receiving one's actions—one should be attuned to discomfort, aversion, doubts, feelings of creepiness, etc.; and one should make adjustments to one's behavior on the basis of the information received. This isn't a call for 'mind-reading', but rather for a directed attention to manifestations of the negative reactions I detailed above--manifestations of behavior which are catalogued in our publicly available lexicons of meaning.

This revision allows us to understand the connection between cases of paradigmatic rape and cases of sexual misconduct that include consent, while maintaining that there can be different degrees of severity of wrongness across cases. Rape as nonconsensual sex offers a binary model of the distinctive wrong of rape; differences in the degree of severity or wrongfulness of different cases of rape then depend on the presence of additional wrongs over and above the distinctive wrong (when that wrong is viewed as a violation of consent). Rape as a violation of a duty to ongoing responsiveness to the other in intimate, high-stakes situations offers a degreed perspective on the distinctive wrong of rape without having to appeal to additional wrongs.

The dissertation concludes by detailing two avenues for future research: (i) negotiating the potential conflict between self-understanding and feeling at home in the world when one

faces oppressive conditions and (ii) developing an account of epistemic relations as a special species of social relation, and arguing that many of the same ethical considerations which license or prohibit hierarchies across other species of social relations also apply to epistemic relations.

Chapter 2 Narrative Explanation and Misunderstanding

The aim of this chapter is to reveal the central role that narrative explanations play in the persistent epistemic difficulties that frequently accompany experiences of sexual assault. To achieve this aim, I'll focus on two contemporary cases of rape, one of which closely conforms to colloquial and legal conceptions of rape and the other of which falls under the recently baptized category of 'grey' rape.[1] I will argue that in both cases the survivors suffered the same, mutually reinforcing epistemic hardships: (1) difficulty making sense *for oneself* of one's own, significant experience; (2) difficulty understanding oneself in light of that experience; and (3) difficulty rendering the experience and its significance intelligible to others. The first of these hardships may seem especially puzzling in these cases—how can someone with an adequate grasp of the facts of her experience nevertheless fail to understand what has happened to her?

To address this puzzle, I'll appeal both to distinctive features of understanding and to the distorting influence of dominant cultural rape narratives.[2] I claim, first, that survivors' epistemic

[1] For the original use of the term see Stepp (2007); for subsequent discussion: Chan (2007), Murphy (2013), Danovich (2015). The term was originally defined as: "sex that falls somewhere between consent and denial and is even more confusing than date rape because often both parties are unsure of who wanted what." (Stepp 2007) Per Urban Dictionary, the term (also sometimes spelled 'gray rape') has come to be associated with rape "that doesn't involve violence, threats, or drugs".

[2] One measure of the 'dominance' of a cultural narrative is how widely accepted that narrative is—and it is indeed the case that many of the cultural rape narratives I appeal to here enjoy widespread acceptance. However, by 'dominant' I intend to indicate something other than sheer volume of acceptance. A dominant cultural narrative is a narrative that enjoys explanatory authority in our collective interpretive resources. That is, if one were to offer an explanation of one's experience of rape, one would be *very likely* (as a matter of descriptive fact) to be criticized as having left something out if one didn't make reference to such a narrative (in some way) in one's explanation. To take an analogous example: in the philosophy of perception, naïve realism enjoys explanatory authority despite the fact that comparatively few philosophers of perception accept naïve realism. (A greater number advocate intentionalism, and even those who advocate naïve realism often do so because they take it to be the best theory on offer rather than because they full-throatedly endorse it.) It enjoys explanatory authority because we would take an account of a perceptual phenomenon to be incomplete unless naïve realism figured somewhere in that account—

difficulties are caused in part by the affective recalcitrance that survivors experience. To understand an experience, one must enjoy a stable and consistent set of attitudes about that experience; and this is difficult to achieve when one's cognitive and affective attitudes about an experience are misaligned. Second, I claim that this affective recalcitrance results from violating the norms of conduct and sentiment established by the dominant rape narratives.

So, by setting the standards for how 'real' survivors should feel and behave, dominant rape narratives contribute to misunderstanding in two ways: (a) they provide interpretive schemas which are sometimes internally inconsistent, and which rarely match the features of survivors' actual experiences; that is, they provide (epistemically) bad theories of rape. And (b) they establish norms of sentiment that contribute to affective recalcitrance on the part of survivors who do manage to acquire (epistemically) good theories of rape.

The chapter proceeds as follows. In the first section I introduce two cases of rape and detail the mutually reinforcing epistemic difficulties that each survivor, Susan Brison and Tove Danovich, faces. I also explain why understanding rather than (only) knowledge is at stake in these cases. In the second section I review extant accounts of epistemic injustice—focusing particularly on hermeneutical injustice—and use Brison's and Danovich's cases to argue that such accounts are both extensionally inadequate and insufficiently explanatory. I contend that such accounts place too great an emphasis on the role of prejudicial lacunae in the dominant interpretive resources in their attempts to diagnose the relevant epistemic difficulties as injustices.

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even if it figured in the account by way of using the phenomenon to *object* to naïve realism. Similarly, dominant cultural rape narratives enjoy explanatory authority in our efforts to understand particular incidents of rape.

In the third section I offer an alternative explanation of Brison's and Danovich's epistemic hardships that appeals to the distorting influence of widely accepted rape narratives. One distinctive feature of narratives when they are deployed as explanations is that they aim to explain not just what happened and how it happened, but also the emotional meaning and significance of their explanatory targets. Settling the emotional significance of an event gives rise to expectations of response. When survivors deviate from these expectations it becomes difficult for them (and for others) to make sense of either the experience of rape, or of survivors' responses to that experience. Additionally, the dominant narratives themselves, as well as the norms that they establish, are often contradictory.

1. Two Cases

1.1 Susan Brison and 'real' rape

On a sunny morning in July of 1992, Susan Brison was walking down a country road when a stranger grabbed her and dragged her into a ravine. He raped her, and then attempted to murder her—first by strangulation, then by hitting her over the head with a rock. Throughout the ordeal, Brison pleaded with him to stop, to let her go, and she struggled against him until she lost consciousness. When she awoke, she climbed out of the ravine and sought help. She was taken to a hospital and, after receiving medical attention for her fractured trachea, numerous cuts, and head injury, Brison immediately filed a police report. Her attacker was convicted of rape and attempted murder and was sentenced to 10 years in prison—the maximum sentence for his crimes in France.[3]

Brison's experience of rape matched both manifest and operative conceptions of rape.[4] That is, her experience was consistent with the formal, legal definition of rape (the manifest concept) because

[3] Brison 2002, Ch1 p.2-21, Ch. 6 p.104-107
[4] See Haslanger 2012 for the original formulation of the distinction between operative and manifest concepts. Jenkins' forthcoming "Rape Myths & Domestic Abuse Myths" is also instructive.

it involved forceful, nonconsensual penetration of an orifice; and her experience also fit the narrower, implicit definition of rape that guides colloquial usage—the operative concept. Brison's assailant was a stranger who attacked her using overwhelming physical force that she continually struggled against. Brison wasn't dressed provocatively and her rape occurred during the middle of the day in a public space devoid of sexual or romantic connotation (as opposed to, e.g., a bar, club, or bedroom). Brison was white, married, respectable (a thirty-five-year-old Dartmouth philosophy professor), and she had explicitly said 'No'. Brison's experience bears each of the hallmarks central to 'real' rape.

And yet, despite the legibility of Brison's experience as a rape within the dominant interpretive resources, Brison nevertheless faced considerable epistemic difficulties. She faced difficulty (a) understanding the experience; (b) understanding herself in light of her experience; and (c) successfully communicating about the experience to others.

When she attempted to write about her ordeal a few months after it occurred, she found that she could not: "Things had stopped making sense…I couldn't explain what had happen to me."[5] Of course, she knew what had happened to her—she had given deposition to that effect. The difficulty she faced wasn't in rehearsing the facts of what had happened. The difficulty was in *understanding* what had happened; she found that she could not explain what had occurred—she couldn't piece the series of events together in a way that made sense to her. She had terms with which to identify her experience ('rape,' 'attempted murder') and knowledge of what had happened to her (he grabbed me from behind, raped me, strangled me, left me for dead), but understanding remained elusive.[6] Indeed, she also had some prior phenomenological familiarity with the experience of rape, as this was the

[5] Brison, 2002, ix

[6] Even reductive theories of understanding (those that take understanding to be a kind of knowledge) allow some difference between knowing a series of facts, and being able to understand that series of facts (Kitcher 2002, Lipton 2004, Grimm 2006, Grimm 2009). E.g., on many reductive views, understanding a series of facts involves having knowledge about how the series fits together understanding p involves knowing why p.

second time she'd been raped.[7] Still, she felt she did not possess an adequate understanding of the experience, and her affective attitudes would not align with her cognitive attitudes: "in spite of my conviction that I had done nothing wrong, I felt ashamed."[8]

When someone has experienced trauma, we may distinguish (at least) three different kinds of puzzlement that she may face about her experience. She may wonder 'what just happened?', 'why did this happen?', or she may be struck by a kind of cosmic 'why me?'. So, e.g., if she has Huntington's Disease, then once the symptoms begin to manifest she may wonder 'what just happened?'. After she receives the diagnosis, she may move on to wonder 'why is this happening?'; this question can be answered by appeal to her genetic inheritance. Of course, such an appeal will not answer the third variety of puzzlement—the cosmic 'why me?'.

Though Brison likely felt some amount of this third variety of puzzlement, it is the second kind of puzzlement—namely, 'why did this happen?'—which motivated her to report a persistent deficit in understanding. Was she to understand the attack as apolitical, impersonal, and idiosyncratic— the actions of a madman? Or was she to understand the attack as an instance of gendered violence? Brison lacked a description of her experience that would simultaneously make sense of both: (1) her experience in relation to her background beliefs as a professor of philosophy whose research engages feminist theory; and (2) her affective responses to that experience—especially her persistent feelings of shame.

In addition to the difficulty she faced in understanding her experience, Brison faced related trouble in her attempts to understand herself in light of this experience: "when things stopped making

[7] Brison 2014
[8] Brison 2002, 3

sense" she "lost [her] ability to continue [her] life's narrative".[9] Her experience was inexplicable to her, and she became inexplicable to herself. That is, the difficulty she faced in making sense of her experience led to a paralysis of her ability to perform the characteristic activities of her practical identities; she reports: "I thought I had made a certain sense of things until the moment I was assaulted…it now [seems] impossible to carry on with the series [of her imagined future]…whatever sense had been made of it in the past has been destroyed."[10] She felt (temporarily) unable to continue her philosophical research or teaching, or to enjoy her relationship with her husband. And she was also unable to incorporate her experience into a new identity—in part because of the difficulty she faced in understanding the experience, and in part because she didn't want to try to make sense of herself as a rape victim. She kept her assault a secret for months, worried that her "professional work would be discredited, that [she] would be viewed as biased, or, even worse, not properly philosophical".[11]

When Brison did attempt to communicate about her experience, she faced two disablements. The first was caused by the trauma she'd undergone. Even after her trachea had healed: "I lost my voice, literally… I was never entirely mute, but I often had bouts of what a friend labeled 'fractured speech,' during which I stuttered and stammered."[12]

The second communicative difficulty Brison faced paralleled her own lack of understanding. Although the medical personnel, police, family members, and counselors she told about her experience believed that she had been raped, they nevertheless attempted to revise several elements of her story. Brison encountered varying levels of difficulty in disabusing her audience of their commitments to the revisions. The revisions facilitated understanding; without them, though they

[9] Brison 2002, 114
[10] Brison 2002 183-4
[11] Brison 2002, 19
[12] Brison 2002, 114

believed that a rape had occurred, they had difficulty making sense of that rape.[13]

The police added details to Brison's story to make her case more convincing; e.g., they added an explanation for why she had decided to take a walk alone: she was athletic. Nearly everyone she discussed the events with—from family members to grief counselors—attributed some responsibility for the rape to Brison. One counselor insisted that Brison "would benefit from the experience by learning not to be so trusting of people and to take basic safety precautions like not going out alone late at night".[14] (This advice even though Brison was attacked during the middle of the day, on an open road.)

1.2 Tove Danovich and 'grey' rape

Although Tove Danovich's rape occurred under very different circumstances, Danovich reports experiencing many of the same affective and epistemic difficulties that Brison does: unwarranted shame, difficulty incorporating the experience into her self-conception, difficulty rendering the experience intelligible to others, and—to an even greater degree than Brison—difficulty making sense of the experience itself. While Brison faced difficulty in understanding *why* her experience had happened, Danovich had trouble understanding *what* had happened.

One night in December of 2010, Danovich and a male friend whom she'd briefly dated the previous year traveled to a mutual, female friend's apartment for a night of talking over cocktails. They talked late into the night, and, given how cold it was, the female friend invited Danovich and their male friend to stay the night. The female friend slept in her bed and indicated that Danovich and their male friend should share a futon—citing the (brief, year-old) romantic

[13] Brison 2002, Ch1, Ch5, Ch6
[14] Brison 2002 8

history to render the sharing acceptable. Danovich woke in the middle of the night to her male friend's molestations. She did not want to have sex with him, but she found herself unable to move and unable to think about anything other than the fact that she didn't want to be having sex, and that she didn't want to wake her sleeping female friend. As she was raped, Danovich said nothing and continued to pretend to be asleep.

Danovich was unsure of how to categorize her experience. What happened to her did not clearly correspond to the operative conception of rape. Her assailant was a friend, not a stranger. Indeed, they had a romantic history and Danovich had agreed to sleep in a bed with him. He did not overpower her with violent, physical force. She hadn't explicitly said no, and she hadn't struggled against him. Additionally, Danovich's experience did not sit well with her conception of herself; she thought of herself as capable, but if she was the sort of person to whom something like this could happen, then "maybe I wasn't the powerful young woman I thought I was".[15] Her story conflicted with the stories we tell about 'real' rape and 'real' victims of rape.

Danovich knew of others whose experiences seemed to be of a kind with hers—what she describes as "confusing grey narratives that hinted at something blacker though I didn't have the words for what it was." Of course, she'd been warned about gendered violence, warned that, for instance, one in five women is sexually assaulted; but "people never suggest that you might not see it coming. Or, worse, might not know how to recognise it when it occurs or how to define it after the fact." But this unanticipated, under-addressed kind of event is exactly what Danovich experienced, and she consequently faced difficulty in categorizing what had happened to her: "I didn't know how to describe what had happened, only that once again it felt like there was some

[15] Danovich 2015

vague black thing lurking under the grey. What happened had felt like, not rape, but maybe its younger sister – clearly related but with a personality of its own."[16]

Like Brison, Danovich knew the facts of the case; she could accurately rehearse to herself and to others the series of events that had taken place. But, as with Brison, Danovich struggled to understand. Unlike Brison, part of Danovich's difficulty stemmed from an inability to categorize the experience—was it rape? Something related, but separable? Although Danovich's experience satisfied our manifest conception of rape—it was, after all, an act of nonconsensual, penetrative sex with someone the assailant believed was sleeping—it didn't bear the hallmarks of a 'real' rape.

But the block to Danovich's understanding involved more than a misalignment between the features of her experience and the available categories of experience; she also faced the same affective recalcitrance that Brison faced. Danovich felt ashamed, and "that shame didn't go away" even as the "blurriness [she] felt about that night transformed into something else. A certainty that….it was rape—almost."[17]

Not only did Danovich face difficulty understanding her experience, she also struggled with incorporating that experience into her conception of herself. Recalling the events of that night felt "like remembering a story about someone else." She refrained from telling anyone what had happened for four years, including various therapists she saw for depression. To acknowledge the severity of what had happened would have foreclosed the illusory possibility of carrying on as usual—the option to treat the "maybe-rape-maybe-not…as nothing more than a (serious)

[16] Danovich 2015
[17] Danovich 2015

misunderstanding."[18] Otherwise, if she did acknowledge what had happened, she felt she risked throwing her life into upheaval. Acknowledging and reflecting on her experience issued a challenge to Danovich's self-conception—was she weak? A victim? Had she provoked his behavior? Were her feelings of shame merited?

But, perhaps even more pressing (because those questions still plagued her even as she tried to ignore them), Danovich worried about the effect that acknowledging the assault would have on her relationships. Her assailant was a member of her circle of acquaintance.

Danovich was right to worry. Her attempts to render the significance of her experience intelligible to others were largely unsuccessful—even to those closest to her. Several years after the rape, she and her boyfriend received an invitation to her assailant's party, and Danovich felt "at a loss to explain why I didn't want [my boyfriend] to go. I'd already told him what had happened to me, couching it in the same vague terms I'd always used to describe it to myself. *We were sleeping and I guess he just kind of had sex with me. Or something.* My boyfriend didn't think that sounded bad enough to keep him from going."[19]

Danovich was able to recite the series of events that had taken place: she awoke to a man who believed she was unconscious penetrating her. However, she was unable to successfully communicate the significance of these events: "At the zenith of the argument I bawled: 'He raped me.'" But Danovich's boyfriend went to the party anyway, saying: "'Well, that's not how you'd made it sound.'"[20] Despite rehearsing the facts of her experience and categorizing that experience as a rape, Danovich's communicative efforts were in vain. Her boyfriend remained unable to grasp the normative significance of Danovich's experience.

[18] Danovich 2015
[19] Danovich 2015
[20] Danovich 2015

2. Hermeneutical Injustice

Despite the difference in the legibility of their respective experiences of rape as rape, the epistemic difficulties that Brison and Danovich report suffering are significantly similar. And Brison and Danovich are not alone. An overwhelming number of rape survivors face similar epistemic difficulties. Communicative disablement is especially pervasive; crimes of sexual assault are notoriously underreported in America, and when they are reported, the reports are rarely accepted—in both legal and non-legal contexts.[21]

The ubiquity of epistemic difficulty in these contexts calls for explanation. Why does it take so many survivors of sexual assault months or years of epistemic labor to make sense of their experiences? Why is it so difficult to successfully communicate that understanding to others once it has been achieved?

In this section, I will begin to address these questions by introducing Fricker's (2007, 2017) account of hermeneutical injustice. Call the epistemic difficulties which need to be explained:

Hindered Understanding: Difficulty making sense *for oneself* of one's own, significant experience

Hindered Self-Understanding: Difficulty understanding oneself in light of one's significant experience

Hindered Communication: Difficulty rendering one's experience and its significance intelligible to others.

[21] The Rape, Abuse, & Incest National Network (RAINN) reports that only 344 out of every 1000 sexual assaults are reported. Out of those 344, 7 result in conviction. Comparatively, out of every 1000 assault and battery crimes, 623 are reported and 41 cases lead to felony conviction. In compiling these statistics, RAINN cites: Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, National Crime Victimization Survey, 2010-2014 (2015); ii. Federal Bureau of Investigation, National Incident-Based Reporting System, 2012-2014 (2015); iii. Federal Bureau of Investigation, National Incident-Based Reporting System, 2012-2014 (2015); iv. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, Felony Defendants in Large Urban Counties, 2009 (2013).

Fricker's account aims to offer: (i) an explanation for why Hindered Understanding, Hindered Self-Understanding, and Hindered Communication persistently occur in certain contexts and (ii) a diagnosis of those hardships as injustices in the relevant contexts. Once Fricker's account is applied to Danovich's and Brison's cases, we can begin to see that the account is incomplete. It does not have the resources to predict that Brison will experience Hindered Understanding, Hindered Self-Understanding, and Hindered Communication, nor will those hardships qualify as unjust in Brison's case on Fricker's account. Additionally, while the account does better at anticipating Danovich's epistemic difficulties, it fails to capture significant causes of those difficulties—that is, causes other than hermeneutical lacunae.

2.1 The standard account of hermeneutical injustice

Hermeneutical injustices are a species of epistemic injustice. At a high level of generality, epistemic injustices are instances in which one is wronged specifically in one's capacity as an epistemic agent; that is, one is undermined, insulted, or proper respect is in some other way withheld from one qua epistemic agent.[22] Hermeneutical injustices (HI) occur when one is unable to render a significant experience intelligible to oneself or to others because of lacunae in our collective interpretive resources.

Of course, not just any gap in our interpretive resources can lead to HI; the reason for the gap must be the exclusion from contribution (or at least the marginalization of contributions) to the dominant interpretive resources by members of certain social groups because of structural identity

[22] The various definitions of epistemic injustice that Fricker (2007) offers are typically formulated as wrongs done to one qua *knower*—as opposed to epistemic agent. However, many of the epistemic wrongs she discusses—and especially hermeneutical injustice—seem to involve more features of our epistemic lives than knowing. (See Hookway 2010 for rich discussion of the possibility for testimonial injustice in non-assertoric contexts, e.g., asking questions, etc.) Her explicit focus on knowledge and knowing as central to epistemic agency is, of course, not idiosyncratic in the epistemic injustice literature—nor in the epistemology literature more broadly. Nevertheless, I take replacing 'knower' with 'epistemic agent' to be an acceptable revision to the standard formulations of definitions of epistemic injustice because 'epistemic agent' seems to cover more of the actual cases that are cited in this literature than does 'knower'.

prejudice. That is, although any gap has the potential to be epistemically disadvantageous, only those gaps which epistemically disadvantage members of groups that have been subject to hermeneutical marginalization qualify as unjust. This is because unjust epistemic hardships inherit their moral standing from (a portion of) the causal history of those hardships. Hermeneutical marginalization is wrong, and so are its downstream effects—namely, Hindered Understanding, Hindered Self-Understanding, and Hindered Communication.

So, for Fricker, there are at least four components to any instance of hermeneutical injustice (HI):

(a) one's experience is obscured from one's own or from others' understanding

(b) the experience is significant—its lack of intelligibility is appreciably disadvantageous

(c) the obscurity of one's experience is at least partially the result of a gap in the dominant interpretive resources[23]

(d) the relevant gap is the result of hermeneutical marginalization

There may be a variety of internal variations within the category of hermeneutical injustice. There may be, e.g., different degrees of experiential inscrutability that result from different degrees of hermeneutical marginalization. One might experience Hindered Communication but not Hindered Understanding, and still qualify as experiencing hermeneutical injustice.

Objections to Fricker's account involve disputing the features of the hermeneutical gap, including: that the gap is in our *dominant* interpretive resources, but not in every community's interpretive resources (Mason 2011, Medina 2012); that the gap may sometimes be about vehicles for the delivery of content rather than about content itself (Alcoff 2010); and disagreement over whether her cases suggest that it is a terminological gap or a conceptual gap (Maitra 2010); etc.

[23] "In a case of hermeneutical injustice…there is always, definitively, a paucity of shared concepts" (Fricker 2017)

But all such objections assume that there is a gap in our interpretive resources and that this gap is what explains both the presence of the relevant epistemic difficulties and the difficulties' status as unjust.

Fricker also receives criticism for her account of hermeneutical injustice being insufficiently structural; objectors contend that, as Fricker describes it, HI is still ultimately derivative of individual prejudices. However, this objection doesn't challenge Fricker's claim that the sources of hermeneutical injustices are gaps in our interpretive resources which happen as result of hermeneutical marginalization. Rather, the objection maintains that hermeneutical marginalization does not always depend on prejudice (Maitra 2010, Anderson 2012).

One of the paradigmatic examples of hermeneutical injustice is the epistemic difficulty that Carmita Wood faced after experiencing sexual harassment at her job in the 1970s. 'Sexual harassment' was not then a commonly deployed term in colloquial or legal contexts. For Wood, and many other women in similar circumstances, it wasn't just the case that they didn't have a perspicuous label for their experience, it was also the case that the dominant conceptual repertoire lacked the resources to describe what was happening to them in normatively accurate terms. Of course, Wood could offer a description of her boss' behavior and her reactions to that behavior. But the dominant interpretive framework of the time classified most sexual harassment as nothing worse than—at most—annoying, over-the-top flirting. That framework positioned Wood and other victims of sexual harassment as the ones whose feelings were inappropriate. They were the ones who were frigid, overly serious, and couldn't take a joke or a compliment. Working within the constraints of such an interpretive framework, it took time and effort for Wood to acquire a normatively accurate understanding of her experience.

Wood eventually quit her job to escape the harassment. During the application process for unemployment insurance, Wood faced both Hindered Understanding and Hindered Communication; she was unable to provide a satisfactory description of the events that had led her to leave her job, and her application was denied. One of the main reasons for this inability was the shame that she felt about the experience.[24] Wood's case includes all four components of hermeneutical injustice. Wood's experience of sexual harassment was significant. The difficulties she faced in understanding the experience *as* sexual harassment and communicating about that experience were epistemically and materially disadvantageous. The obscurity of her experience was at least partially attributable to a gap in the dominant interpretive resources, and this gap was the result of the hermeneutical marginalization of women.

2.2 'Grey' rape & hermeneutical injustice

Like Wood's case, Danovich's case is a good candidate for Fricker's model of hermeneutical injustice. Danovich also suffers Hindered Understanding and Hindered Communication, and these epistemic hardships are plausibly attributable to deficiencies in our collective epistemic resources. Although those resources included a notion of grey rape at the time of Danovich's rape (whereas the dominant resources did not include 'sexual harassment' at the time of Wood's sexual harassment), the term 'grey rape' does not provide much more than a label for a set of sexual experiences whose normative significance is uncertain. The term does signal that something unpleasant—even bad—has occurred, but it also indicates that the precise nature and degree of the wrong is unclear, is 'grey'. So, Danovich lacked a concept critical for understanding her own experience, just as Wood did. Additionally, given that most of the people

[24] "When the claims investigator asked why she had left her job after eight years, Wood was at a loss to describe the hateful episodes. *She was ashamed and embarrassed*. Under prodding—the blank on the form needed to be filled in—she answered that her reasons had been personal." (Fricker 2006, my emphasis)

who experience grey rape are women, hermeneutical marginalization is a plausible hypothesis for the lack of adequate conceptual tools for coming to terms with grey rape. And, of course, Danovich is a member of the relevantly marginalized group.

So, the difficulties that Danovich faced in understanding the normative significance of her experience and in communicating that significance to others will be predicted and explained on Fricker's account by appeal to a gap in the operative conception of rape. (Though that explanation will be incomplete—which I discuss in section 2.4.)

However, that same gap cannot explain or predict Brison's experiences of Hindered Understanding, Hindered Self-Understanding, and Hindered Communication. Although Brison suffers significantly similar affective and epistemic difficulties, Brison's difficulties will not count as instances of hermeneutical injustice on the standard view of HI. In Brison's case, there is no hermeneutical gap into which her experience falls.

2.3 The objection from extensional inadequacy

The standard account of HI does not predict Brison's epistemic hardships and cannot credit them as unjust. Unlike Wood or Danovich, Brison doesn't suffer from a relevant gap in her conceptual resources. Brison's experience bears each of the hallmarks of our conception of 'real' rape. Additionally, Brison is a philosophy professor whose work focuses on violence against women. (Indeed, her very expertise is a part of what kept her silent about her experience for so long. Brison worried that she would be seen as a hysterical rape victim, and her work in feminist philosophy would consequently be undermined.[25]) So, in addition to Brison's experience matching both manifest and operative conceptions of 'real' rape, Brison also enjoyed access to

[25] Brison 2002, 90-91

alternative, feminist theories of rape—include, e.g., Catharine MacKinnon's account of rape as a manifestation of gender inequality. Neither Brison's own conceptual repertoire nor the dominant conceptual repertoire carried a gap into which Brison's experience might fall. A conceptual gap was not the cause of Hindered Understanding, Hindered Self-Understanding, or Hindered Communication in Brison's case.

I contend that the right account of hermeneutical injustice ought to be able to accommodate the continuities between Wood's, Danovich's, and Brison's cases.[26] The phenomenon that we set out to explain was the pervasive attendance of Hindered Understanding, Hindered Self-Understanding, and Hindered Communication following experiences of sexual assault. Fricker's account of hermeneutical injustice cannot provide that explanation because it is extensionally inadequate. It fails to classify cases like Brison's as cases of HI, where Hindered Understanding, Hindered Self-Understanding, and Hindered Communication occur despite the lack of a gap in critical interpretive resources—in this instance, the dominant conceptual repertoire.

In Section 3, I will provide an explanation of what I take to be missing from Fricker's account of hermeneutical injustice. I will argue that HI may occur not only because of an absence of interpretive resources, but also as a consequence of the distorting influence of the available interpretive resources. That is, those who suffer hermeneutical injustices do so because of the *presence* of distorting items in our hermeneutical resources, and not (only) because of an *absence* of conceptual resources. And it is this distorting influence of the available resources that

[26] One immediate concern the reader may have is that 'hermeneutical injustice' is a technical term coined by Fricker, and therefore any accusations of extensional inadequacy are unfounded. However, although 'hermeneutical injustice' is a technical term, I take it that Fricker does not see herself as offering a merely stipulative definition for the term. 'Hermeneutical injustice' is meant to refer to a class of hybrid epistemic-moral wrongs that form a social kind. For instance, Fricker describes what our general intuitions might be about the cases she marshals in explaining the phenomenon.

unites Wood's, Danovich's and Brison's cases. For now, though, I'll entertain two possible responses to my criticism of extensional inadequacy on behalf of the standard account of hermeneutical injustice.

First, one might maintain that Brison's Hindered Understanding, Hindered Self-Understanding, and Hindered Communication were caused by psychological rather than epistemic difficulties. Brison did, after all, face serious physical and psychological trauma. However, such a response overgenerates. Psychological difficulties are also present in Danovich's and Wood's cases—as they will be in almost any case of hermeneutical injustice. The experiences that provide fertile conditions for hermeneutical injustice—experiences of post-partum depression, sexual harassment, sexual assault, crises of social identity, etc.—are also fertile grounds for psychological trauma. This is not accidental. The circumstances under which one is forced to grapple with difficulty in making sense of one's significant experiences will inevitably be psychologically taxing.

So, if psychological difficulty is to play the role of a cause that screens off potential epistemic causes for Hindered Understanding, Hindered Self-Understanding, and Hindered Communication in cases like Brison's, then there must be some principled reason which disables it from playing the same, 'screening-off' role in cases like Wood's or Danovich's. Otherwise, none of Brison's, Wood's, or Danovich's experiences of Hindered Understanding, Hindered Self-Understanding, and Hindered Communication will be primarily attributable to epistemic causes. But no such principled reason is forthcoming.[27] Certainly, Brison's epistemic difficulties

[27] Here is at least one candidate reason: The degree of psychological difficulty suffered by Brison exceeds that suffered by Wood or Danovich, and so Brison's epistemic difficulties were primarily attributable to trauma, and so not instances of *epistemic* injustice. But this won't do. Danovich and Brison were both treated for depression following their sexual assaults, and the duration and method of their treatments was similar. It seems unlikely that

are in part attributable to her psychological difficulties, but there are also other, epistemic causes for her Hindered Understanding, Hindered Self-Understanding, and Hindered Communication. And extant accounts of HI miss these other causes.

A second potential response on behalf of the standard account of hermeneutical injustice involves re-describing Brison's case in terms more congenial to that account. One might claim that the relevant gap which motivates Brison's Hindered Understanding, Hindered Self-Understanding, and Hindered Communication hasn't to do with dominant conceptions of rape, but instead concerns an impoverishment in the dominant conceptions of recovery from trauma. On this interpretation, Brison's case now satisfies all four features of hermeneutical injustice, because her epistemic difficulties are the result of a hermeneutical lacuna.

Part of this interpretation is correct. Our mainstream interpretive resources for making sense of psychological trauma and recovery from trauma are certainly impoverished. However, the main epistemic difficulties that Brison reports facing concern her experience of rape, not her subsequent recovery. When Brison says that she cannot explain what has happened to her, the target of her explanation is her rape—not her path of recovery from trauma. She has the relevant concepts to deploy in offering an explanation—to herself and to others—of the rape. But she still feels she can't do it: "Had my reasoning broken down? Or was it the breakdown of Reason? I couldn't explain what had happened to me."[28] And, in fact, Brison reports that writing about

one could successfully appeal to a difference in degree of psychological trauma to distinguish Brison's and Danovich's cases.

Also, I should note that even if such a reason can be found to exclude Brison's case from the category of HI, it would still be the case that the *absence* of interpretive resources is not the *only* (or most explanatory) cause of Hindered Understanding, Hindered Self-Understanding, and Hindered Communication in cases that do qualify by Fricker's lights as instances of HI. Rather, Hindered Understanding, Hindered Self-Understanding, and Hindered Communication caused by the *presence* of epistemically undesirable features of the available interpretive resources. See Sections 2.4 and 3 for details.

[28] Brison (2002) ix

what trauma is, what it does, and processes of recovery from trauma came more easily than writing about her experience of rape.[29]

2.4 The objection from explanatory inefficacy

I've offered some reason to suppose that the standard account of HI provides an incomplete picture of hermeneutical injustice. Because of its reliance on prejudicial lacunae in our collective interpretive resources, the standard account fails to classify some cases of HI as cases of HI. This also results in a failure to appreciate significant continuities among different cases of HI. One such continuity is the similarity in the affective distress experienced by recipients of HI. One of the most common emotions that recipients of HI feel is unwarranted, recalcitrant shame.[30] The standard account does not pay sufficient attention to this. Of course, Fricker acknowledges that the protagonists of her example cases experience shame.[31] And it is perhaps unsurprising that affective harm isn't her focus, given that her primary concern is with the epistemic features of these cases.

However, the epistemic and affective features are not easily separable. Part of what it takes to make sense of an experience is the ability to adopt a stable, consistent, and fitting set of attitudes about that experience. If there is a misalignment between one's cognitive and affective attitudes—if, like Wood, Brison, or Danovich, one simultaneously believes that one has done nothing wrong and feels ashamed of having done something wrong—then one is also very likely to experience Hindered Understanding, Hindered Self-Understanding, and Hindered

[29] Brison (2002) ch3,4

[30] Brison, Danovich, and Wood all report feeling ashamed and disavowing that shame—as I've described above. Additionally, the protagonists of Fricker's other examples also report feeling shame, including the young mother who experiences postpartum depression and the character Joe from McEwan's *Enduring Love*. (Fricker 2007 ch7)

[31] Fricker (2007) ch7

Communication. So, any account that aims to explain Hindered Understanding, Hindered Self-Understanding, and Hindered Communication by explaining their causes (as the standard account of hermeneutical injustice aims to do), will fail to capture important causes by ignoring the affective components of these epistemic difficulties.

Affective recalcitrance is one cause of Hindered Understanding, Hindered Self-Understanding, and Hindered Communication. And we cannot explain the affective recalcitrance that Brison, Danovich, and Wood feel, the persistence of their shame, just by appealing to gaps in our collective interpretive resources. Being unable to classify an experience may bring with it feelings of puzzlement, but it doesn't reliably motivate feelings of shame. However, failing to live up to a set of normative standards is a plausibly reliable motivator of shame. In our two focal cases of HI, such a candidate set of normative standards exists. The available interpretive resources that Brison and Danovich deploy include dominant rape narratives. These narratives establish norms of conduct and sentiment for the ways that 'real' survivors and assailants ought to behave and feel.

Features of the dominant interpretive resources—and not just gaps in those resources—cause Hindered Understanding, Hindered Self-Understanding, and Hindered Communication both directly and indirectly. They do so directly (which will be discussed in greater detail in Section 3) by providing narrative explanations of rape which cannot accommodate the evidence of survivors' actual experiences, and this misalignment leads to misunderstanding. But they also do so indirectly, by establishing normative standards for survivors' reactive attitudes and behavior that, when violated, motivate survivors' shame. This shame then contributes to Hindered Understanding, Hindered Self-Understanding, and Hindered Communication. To understand how shame contributes, it will help first to be clearer on what shame consists in.

Shame is often elicited by one's perceived failure to live up to a public standard concurrent with a desire to be viewed by others as measuring up to that standard. Per Gibbard (1990), "Shame stems from things that indicate a lack of abilities, powers, or resources one needs if one is to be valued for one's cooperation and reciprocity" (138). One such ability—and a very significant one—is the ability to play by the rules in various social situations; that is, to conform to the norms of conduct and sentiment that govern those situations. When one fails to conform to such standards, one is liable to feel ashamed—even in cases where one's nonconformity remains a secret (as with Gibbard's ashamed virgin who enjoys a lothario reputation). Indeed, if the relevant standards enjoy a sufficient amount of public authority, then one may feel ashamed even when one does not endorse the standards that one fails to live up to.

Shame tends to motivate withdrawal, rather than approach, which may have a debilitating effect on one's chances for encountering new evidence—particularly evidence that others have had experiences similar to one's own. If one is ashamed of an experience, then one is unlikely to discuss that experience with others, and so is unlikely to learn that one's experiences and reactions are common (when they are). So, shame can hinder the collection of evidence.

In addition to its potentially negative effect on evidence gathering, shame can also undermine the stability of survivors' understanding of their experiences of assault. Shame does this by bringing to salience doubts about who is causally and morally responsible for different aspects of the experience that is the target of understanding.

Relations of dependence are paradigmatic objects of understanding. These relations can be more or less complex. One may understand something as involved as a presidential election or a scientific theory, and one may understand something as simple as a pedestrian state of affairs—e.g., why a cup of coffee spilled. Understanding does not merely consist in knowing a set of

propositions; one must be able to appreciate how those propositions hang together. So, one is said to understand a scientific theory or why a cup of coffee spilled when one grasps the relations of dependence within the system that one understands. And one must be able to answer, as Woodward (2003) puts it, 'What if things had been different?' questions about the relevant representation. (E.g., what if the coffee cup had been glued to the table—would it still have spilled?) This is, in part, what distinguishes understanding from straightforward knowledge-that; knowing that p doesn't necessarily require deploying (or the ability to deploy) modal abilities.

So, understanding involves being able to appreciate relations of dependence—including causal structures; to understand an experience one must have a handle on the causal relations involved in that experience—what caused what, what is responsible for what. And, further, this appreciation must be robust—it must be able to withstand consideration of a range of counterfactuals. In cases of hermeneutical injustice, recalcitrant shame is anathema to both criteria (grasping relations of dependence & the stability of that grasping). First, shame obscures the relevant relations of responsibility. The shame that Brison, Danovich, and Wood all feel furnishes them with some evidence that *they* each bear some moral responsibility for their respective experiences of rape and sexual harassment. This is shame's contribution to obscuring the relations of dependence that are the object of understanding. Second, shame also has a negative impact on the stability requirement for understanding. Even if one rejects one's sense of shame as misleading, the persistence of that shame, and the constant bringing to salience of the evidence that shame furnishes, risks throwing one into doubt. And those doubts may be sufficient to rebut or undermine understanding.

3. Enriching Our Account of Hermeneutical Injustice

So far I've argued that extant accounts of hermeneutical injustice are incomplete because they do not devote sufficient attention to certain explanatorily relevant causes of epistemic difficulty. In this section, I'll offer further details of what I take those (undertheorized) causes to be in our two focal cases.

3.1 Narratives

Brison and Danovich both explicitly reach for narratives to facilitate their own understanding of their respective assaults, as well as their communication about the assault to others. Narratives organize events into intelligible wholes; as such, they furnish more understanding than mere categorization affords. We typically think that something explanatory is gained when events are put into narrative organization rather than given as a list or placed in a taxonomy.

Velleman (2003) lists three requirements on narratives. To qualify as a narrative, the candidate item must: (1) organize two or more events in relation to each other, and (2) in mutual relation to an outcome. And narratives must do this by (3) establishing the emotional significance of the events they organize. The first criterion is obvious; if narrative's purpose is to offer a special kind of explanatory organization, then there must be something to organize. A narrative might rehearse only one event (as both Brison's and Danovich's narratives do), but that event must then itself be composed of other events, or states of affairs that bear some connection to each other. (Criterion 1 is easy to satisfy.)

The precise sort of connection is articulated by criterion (2); the events that a narrative organizes are related to each other in virtue of their mutual relation to the ultimate outcome that the narrative is structured around. So, one moves from offering a mere list of events (the child

died and then the parent died) to offering a narrative (the child died and then the parent died of grief) once that list is organized around an outcome.[32]

Finally, the organizing mechanism by which events are related to an outcome is affect. It is through the motivation of affect that narrative acquires its explanatory force. Narratives make sense of the events they describe by imbuing those events with a trajectory of emotional meaning.[33] It is significant to note that the relevant emotions need not *actually* be evoked in a narrative's audience. The miniature narrative deployed as an example above—'The child died and then the parent died of grief'—likely did not motivate an active feeling of sorrow in the reader; however, the narrative still managed to establish the emotional meaning of the events it describes.

So, when narratives are deployed as explanations, one of their distinctive features is that they aim to settle the meanings of their explananda by establishing how we ought to feel about them. Narrative explanations aim to explain not just what happened and how it happened, but also the emotional meaning and significance of their explanatory targets. Settling the emotional significance of an event gives rise to expectations of response; if the event is established as, e.g., a happy one, then the proper response would be to greet it enthusiastically, with joy. When a given narrative explanation enjoys wide enough acceptance it may condition both how we believe we ought to respond and how others believe we ought to respond to the events that the narrative explains.

[32] The use of the term 'outcome' might suggest that narratives necessarily describe causal relations, but this is not so. The events that narratives organize need not exhibit causal or probabilistic connections; one can construct a story out of two causally unrelated events.
[33] Velleman 2003; Bless & Forgas 2000; Slovic, Ficunane, Peters & MacGregor 2002; Ask & Landstrom 2010

Narrative's ability to package normative significance in affectively laden terms makes narratives dangerous as well as useful. The more a narrative affords affective closure, the more it seems to make sense, and so the better we typically feel we understand the events it organizes. And, in general, when two competing stories are offered—as they so often are in cases of sexual assault—people will tend to believe the one that they take to make more sense, to be more explanatory.

Narratives provide an interpretive framework that one can apply to one's experience. Their structures are general enough to afford familiarity to even uncommon or extreme experiences, but they are also elastic enough to accommodate the particularities of a given experience. This flexibility is both a virtue and a potentially pernicious feature; part of the reason why dominant rape narratives persist is precisely because of their adaptability.

3.2 Distorting Rape Narratives

Danovich concludes Danovich concludes her article: "today, at least I can *tell my story*. And I call that real progress."[34] As our examination of narrative indicates, her achievement doesn't just amount to filling in the missing content of a concept. In telling her story, in furnishing herself and her audience with a narrative explanation, she is rendering the normative significance of her experience intelligible by organizing the events of that experience in emotionally resonant ways. Certainly, the obscurity of the concept of 'grey rape' impeded her progress to this achievement, but the available rape narratives did so as well. Rival narratives of events like rape establish competing emotional significances for the same event, and consequently establish different norms of response to that event.

[34] Danovich 2015

Danovich had to contend with the usual narrative explanation of experiences like hers—experiences of grey rape. The story goes (in very broad strokes) like this: Two exes [friends, acquaintances, etc.] spend a drunken night together that one or both end up regretting. This narrative gives rise to norms of response—norms which are more commensurate with Danovich's boyfriend's response to the rape than with Danovich's own response. (E.g., "My boyfriend didn't think that sounded bad enough to keep him from going [to her assailant's party]."[35]) Her boyfriend expects Danovich to feel a bit rueful about how that night went, but not very upset; he does not expect Danovich to feel deeply uncomfortable at the prospect of seeing her assailant again, and he takes Danovich's reaction to be unfitting. He goes to the party; he does not feel beholden to what he views as Danovich's overreaction.

Norms of response that identify survivor's reactions as overreactions are pervasive in cases of grey rape. They cast survivors as vindictive and irrational. When Brock Turner was convicted of sexual assault and faced up to 14 years in prison, his father, Dan Turner, commented: "His life will never be the one that he dreamed about and worked so hard to achieve…That is a steep price to pay for 20 minutes of action out of his 20 plus years of life."[36] Framing the assault as '20 minutes of action' is a way of calling to salience the narrative of the regretful, drunken night. It sets standards by which the survivor's reaction to Turner's assault must be judged as cruel and irrational. How could she be such a tattle-tale and press charges that might ruin this young man's life over a drunken activity that, after all, they both engaged in?

When survivors of grey rape reflect on their own experiences of rape, pervasive narratives like 'A Drunken Night Between Exes' are the explanatory schemas which readily

[35] Danovich 2015
[36] https://www.washingtonpost.com/news/morning-mix/wp/2016/06/06/a-steep-price-to-pay-for-20-minutes-of-action-dad-defends-stanford-sex-offender/

come to mind. Of course, ‘A Drunken Night Between Exes’ does not make sufficient sense of Danovich’s actual experience, and it casts her response to that experience as unfitting. This is what motivates Danovich to begin formulating an alternative explanation of what happened to her. Unfortunately, ‘A Drunken Night Between Exes’ is the explanatory schema that first comes to mind for most people who hear about experience’s like Danovich’s (including, e.g., Danovich’s boyfriend). So, even as Danovich begins to reject the dominant explanatory schema in favor of her own narrative explanation, she must contend with the fact that her alternative explanation is not the explanation which enjoys default acceptance. When she recounts her experience to others (and, indeed, when she first began recounting it to herself), she has to make an argument to support her claim that this experience doesn’t just fall under the schema of ‘A Drunken Night Between Exes’.

Dominant rape narratives may also have an epistemically deleterious effect on survivors in cases where all parties agree that a rape has occurred. Brison describes various people’s instructions to view her assailant as a wild animal rather than as a person, commensurate with a narrative of rape as a monstrous act. They implored her to try to forget her assault, but to remember how lucky she was that she had survived: “every morning you waken, think of the new day as a gift.” Brison reports that “such attempts to obliterate or to appropriate my memories of the assault, however well-intentioned, collided with my own efforts to come up with a narrative”.[37]

To tell the story of Brison’s experience as the story of a monstrous crime committed by an inhuman creature is to insist that one needn’t try to make further sense of her experience. Monstrous creatures commit monstrous acts, and those who survive crossing their paths ought to

[37] Brison (2002) 87

feel—above all—grateful; just as, by analogy, hurricanes can be horribly destructive and those who survive should feel lucky. Here, the norms of response subtly echo those established by dominant grey rape narratives: one may feel badly while the event is happening and during one's physical recovery, but then one must put those bad feelings to one side. To do otherwise is to feel and behave inappropriately.

Additionally, because more than one dominant rape narrative may be applied to any given case of rape, survivors must also often contend with the contradictory expectations of response that those different narratives establish. The story of Brison's rape as a monstrous act relieves her of any responsibility for the event, which suggests that she shouldn't feel ashamed of it. However, the story whereby Brison is not responsible for her assault is commensurate with a story that identifies rape as a violation of virtue, as dishonorable. And what is dishonorable is also shameful.

So, Brison has competing interpretive schemas—one of which marks her shame as unwarranted, and the other of which endorses her shame. Dishonor-based narratives of rape are no longer explicitly endorsed by most people. Few would assent to the view that rape degrades a woman by robbing her of those attributes (virginity, chastity) which render her valuable because they make her fit for, e.g., marriage. But, despite being explicitly disavowed, such narratives are often still operative. And the sense that survivors are defective, are tainted, manifests in the persistence with which people attempt to attribute responsibility for the event to the survivor. (E.g., why didn't she resist or resist forcefully enough? Why did she go out alone at night?) The sense of dishonor is displaced onto some other, more palatable expectation.

The dominant rape narratives that I've described—A Drunken Night Between Exes, Monstrous People Do Monstrous Things, and To Rape is to Dishonor—each respectively

contributed to the epistemic difficulties that Danovich and Brison faced. Their contributions were a result of both the widespread acceptance (explicit or implicit) of these narratives and a result of the characteristic function of narrative explanations—namely, to make sense of events by establishing the emotional significance of those events. Establishing the emotional significance of the relevant events in Danovich's and Brison's cases gave rise to norms of response: in Danovich's case, the expected response was to feel rueful or mildly embarrassed, and in Brison's case, the expected response was to feel grateful that she had survived this person who was likened to a hurricane or other natural disaster. The widespread acceptance of the relevant rape narratives gave these expectations of response teeth.

3.3 Helpful Rape Narratives

Although dominant rape narratives contribute to the existence and persistence of Hindered Understanding, Hindered Self-Understanding, and Hindered Communication, alternative narratives may contribute to their dissolution. These epistemic hardships are caused in part by a misalignment between one's interpretive schema (narrative) for understanding one's experiences and the actual features of one's experiences, and in part by the shame that attends deviations from the norms of response set by one's interpretive schema (narrative). The creation of new narratives, of new interpretive schemas, can help to correct that misalignment. And, indeed, being able to narrate their experiences was ultimately very helpful for both Brison and Danovich.

However, the creation of alternative narrative explanations is not by itself sufficient to dispel the deleterious epistemic effects of the dominant rape narratives. As we saw in Brison's case, having an alternative theory of rape (i.e., Catharine MacKinnon's account of rape as a manifestation of gender inequality) with which she might have constructed an alternative

narrative explanation of her own experience did not relieve Brison of the epistemic difficulties she suffered in the wake of her assault. In order to successfully combat Hindered Understanding, Hindered Self-Understanding, and Hindered Communication, alternative narrative explanations must do more than merely be available to survivors. Rather, these alternatives must also enjoy widespread acceptance. They must, at a minimum, be endorsed by the survivor herself and some circle of her significant acquaintance. In the next chapter, I detail the reasons why survivors' reclamations of self-understanding ineliminably depends on how others—actual or imagined—receive survivors' representations of what happened to them.

4. Conclusion

I set out to establish the central role that narrative explanations play in the existence and persistence of the epistemic difficulties that frequently accompany experiences of sexual assault. The two cases I examined detailed the persistent deficits in understanding that Susan Brison and Tove Danovich experienced following sexual assault. Specifically, they each reported difficulty in making sense of their experiences and in understanding themselves in light of those experiences, and I have argued that these two difficulties are related.

Survivors attempt to understand themselves and their experiences of rape with the interpretive resources available to them, and these resources include our cultural rape narratives. One distinctive feature of narrative explanations is that they aim to explain not just what happened and how it happened, but also the emotional meaning and significance of their explanatory targets. Settling the emotional significance of an event gives rise to expectations of response. The widespread acceptance of our cultural rape narratives enables them to establish norms of response in sentiment and conduct, which set expectations for how 'genuine' survivors

should feel and behave. When survivors deviate from these normative expectations it becomes difficult for them (and for others) to make sense of either the experience of rape, or of survivors' responses to that experience.

This diagnosis of disruptions in survivors' self-understanding contributes to the literature on hermeneutical injustice by revealing: (i) some of the ways that the presence of pernicious interpretive resources, rather than a paucity of resources, can lead to epistemic difficulty, and (ii) the distinctive role that hame often plays in maintaining epistemic difficult.

Chapter 3 Self-Understanding is Socially Mediated

The previous chapter aimed to reveal the central role that narrative explanations play in the persistent epistemic difficulties that frequently accompany experiences of sexual assault. This chapter will focus more narrowly on the second epistemic difficulty—Hindered Self-Understanding—and will offer a diagnosis of the persistence of this epistemic difficulty as the result not just of insufficient interpretive resources but also as a consequence of the social mediation of self-understanding. As I've characterized it, self-understanding is the activity of producing and sharpening increasingly adequate descriptions of oneself. As such, self-understanding will be socially mediated insofar as one's self-descriptions involve concepts, terms, images, etc.—our publicly available lexicons of meaning. However, there is another, related sense of social mediation at play; namely, how we represent ourselves (even when we are just attempting to do so *for ourselves*) depends on how others—actual or imagined—will receive that representation. Learning about oneself, achieving self-understanding, ineliminably involves trying oneself out before others. One upshot of the necessity of trying oneself out before others is that narrative explanations become especially felicitous vehicles for self-understanding—both for acquiring it and also for successfully communicating it to others.

I. The Activity of Self-Understanding

Disruptions in our routines often give rise to self-reflection. When events unfold in ways that are contrary to our expectations, we may find ourselves facing the task of reconsidering what

we value, how we got here, and who we are. This is especially true of extreme disruptions, such as those caused by traumatic experiences.

After her experiences of rape and attempted murder, Brison reports a persistent inability to make sense of herself and to plan for the future. She writes, "I thought I had made a certain sense of things until the moment I was assaulted…but whatever sense had been made of [myself] in the past has been destroyed. The result is an uneasy paralysis. *I can't go. I can't stay*. All that is left is the present, but one that has no meaning, or has, at most, only the shifting sense of a floating indexical, the dot of a "now" that would go for a walk, if only it knew where to go."[38] Even after seeking psychiatric treatment for PTSD, Brison continued to face difficulty in performing the characteristic actions of her practical identities. She felt (temporarily) unable to continue her philosophical research or teaching, or to enjoy her relationship with her husband. Consequently, her former self-descriptions as, e.g., philosopher, scholar, teacher, and wife no longer seemed to apply. But she was also unable to incorporate her experience into a new identity—in part because of the symptoms of her PTSD, and in part because she worried about how incorporating her experience of sexual assault into her identity would impact the parts of herself that she deeply valued. She kept her assault a secret for months, worried that her "professional work would be discredited, that [she] would be viewed as biased, or, even worse, not properly philosophical."[39] Brison lacked a conception of herself that made sense of her past in relation to who she was now, and this deficit augmented her inability to reliably predict how she would respond (both in action and in affect) to her everyday circumstances.

After the death of her mother, Cheryl Strayed reports facing similar difficulties in making sense of herself and in planning for her future. When her mother died Strayed was twenty-two,

[3838] Brison 2002, 183-4
[39] Brison 2002, 19

married, in her final semester of university, and had life-organizing, deep ambitions to become a writer. Through her grief, Strayed continued to conceive of herself as someone to whom those same central descriptions applied: an aspiring writer, married and madly, monogamously in love. But her actions fell out of step with these self-representations; she couldn't manage to finish the final five-page English essay that she need to graduate and she persistently lied to her husband and slept with other people. Her own actions puzzled her—why was she doing these things? Why wasn't she responding to her scholastic obligations or to her husband in the ways that she expected herself to? Whenever she reached for explanations, she "latched onto the nearest cliché…*My mother's death has taught me to live each day as if it were my last*…I didn't stop to think: What if it *had* been my last day? Did I wish to be sucking the cock of an Actually Pretty Famous Drummer Guy? I didn't think to ask that because I didn't want to think. When I did think, I thought, *I cannot continue to live without my mother*."[40] Like Brison, Strayed lacked an accurate, authentic conception of herself and she consequently felt continuously puzzled by her own responses to her life.

What Brison and Strayed both lack is not knowledge of their respective histories or dispositions. They both enjoy acute awareness of the series of events that constituted their traumatic experiences, of what followed thereafter, and of what they felt and believed about those experiences—in part as a result of ongoing therapeutic treatment. Yet they surprise themselves. Each lacks a formulation of herself (a formulation of her practical identity, a formulation of who she is, what she wants, who she thinks she should be, and what she takes to be valuable) that: (1) makes sense of what she remembers of her past and (2) helps her to plan

[40] Strayed 2002

for her future, where planning involves some reliability in predicting how she will react (affectively and behaviorally) in future.

We change continually throughout our lives and for all sorts of reasons. Sometimes these changes are significant enough that our former self-descriptions become ill-fitting; they no longer afford us (1) and (2). This is what Brison and Strayed both faced following their respective experiences of sexual assault and grief. But beyond the inadequacy of their former self-descriptions, they also faced a paralysis in formulating new, more adequate ones. That is, they faced disruptions in self-understanding—in the activity of producing and sharpening increasingly adequate self-descriptions. 'Adequacy' here is measured by how well a given self-representation: (A) captures the important features of oneself[41]; (b) makes interpretive sense of one's past in relation to one's present and future; and (c) affords one a measure of reliability in predicting how one will respond to future experiences.

Eventually, both Brison and Strayed recovered their ability to perform the activity of self-understanding and were able to successfully incorporate their traumatic experiences into adequate self-representations.[42] The previous chapter offered insight into the ways in which the function and widespread acceptance of dominant rape narratives had a deleterious impact on the activity of self-understanding. From this, one might have thought that removing oneself from the company and influence of others would help facilitate the task of successfully understanding

[41] 'Importance' here is ecumenical. Roughly, the important features of oneself are those features that make a difference in one's life materially, experientially, or psychologically. A feature might be important because other people regard it as significant—whether that regard manifests explicitly or in how others treat one. And a feature might be important because one regards it as important oneself—even if others do not. What makes a feature important in the sense meant here is that it impacts how one's life goes. It follows then that features' significance is subject to change given one's changing circumstances over the course of one's life.

[42] These are both cases where reclamations of self-understanding coincided with recovering a livable life. That isn't coincidental; having adequate self-representations certainly facilitates one's ability to successfully plan for one's future and execute those plans. However, I'm not suggesting that self-understanding entails recovering a livable life. One can formulate adequate self-representations but remain deeply in despair.

oneself in the aftermath of disruptive experience. And, further, that all that would be needed to overcome disruptions in self-understanding would be alterations to our conceptual resources to make room for more adequate self-descriptions (E.g., what happened to one was ‘sexual harassment’ rather than ‘over-the-top flirting’). However, isolation and conceptual enrichment were both insufficient to overcome the paralyses in self-understanding that Brison and Strayed faced. The first aim of this chapter is to offer an explanation of this insufficiency: namely, that self-understanding ineliminably involves trying oneself out before others. The second aim of this chapter is to argue that narrative self-explanations are the most perspicuous vehicles for self-understanding. Sections II and III focus primarily on the first aim, while section IV executes the second aim.

II. An Individualistic Conception of Self-Understanding

Others' perceptions of who we are can be misleading. People can be mistaken about us. And widely endorsed views (for instance, about members of social categories and of normative claims) can be false and can obscure the truth about ourselves from ourselves. Willful hermeneutical ignorance (Mills 2007, Pohlhaus 2012), epistemic exploitation (Barenstain 2016), and epistemic injustice (Fricker 2007, 2014) are all widespread and have deleterious impacts on the activity of self-understanding.

In the face of these dangers, it may seem the wisest course to isolate oneself when one is facing disruptions in the activity of self-understanding. And, indeed, both Brison and Strayed initially isolated themselves. After the rape trial ended, Brison withdrew from her professional and social life, and remained largely confined to her home. Once Strayed came to appreciate that her self-representations were all either inauthentic (‘living her life to the fullest’) or ill-fitting

('aspiring writer', 'madly in love with her husband') she decided to "to take a long walk. One thousand six hundred and thirty-eight miles, to be exact. Alone."[43]

This strategy of removing oneself from society to help facilitate the activity of self-understanding enjoys a venerable philosophical pedigree; it was advocated by philosophers associated with the transcendentalist movement—particularly, Thoreau and Fuller. Fuller offers perhaps the clearest direction for isolating oneself in her *Woman in the Nineteenth Century*: "If any individual live too much in relations, so that he becomes a stranger to the resources of his own nature, he falls, after a while, into a distraction, or imbecility, from which he can only be cured by a time of isolation, which gives the renovating fountains time to rise up" (Fuller, Part 3).

Fuller directs her advice primarily toward women whom she claims are inundated with misleading evidence about the limits of their intellectual and affective capacities whenever they spend sustained time in the company of others. Removing oneself from society becomes a necessary means for investigating the genuine limits (and competencies) of one's capacities.

During their respective periods of isolation, both Brison and Strayed applied considerable effort to the task of self-inquiry. However, though some progress was made during their respective isolations, neither Brison nor Strayed managed to sufficiently dissolve their puzzlement about themselves until they managed to work through this puzzlement with receptive others. As Brison puts, in addition to a "a reconceptualization of the world and my place in it" she required "an actual world in which support and sustenance were available. A sense that my various images of the world—and the world itself—could someday coincide enough so that I could navigate my way around in it"—that is, she required a world that affirmed her newly

[43] Strayed 2002, https://www.thesunmagazine.org/issues/321/the-love-of-my-life

formulated self-conceptions (as non-atomistic, fragmented, but integrated).[44] She required a shared reality.

For lives that aren't lived as hermits, we need others (including imagined others—like the Past and Future Versions of ourselves) to acknowledge and accept our self-representations. We are not the ultimate, exhaustive authorities over who we are. Others can and often do offer competing explanations for who we are and competing explanations of the significances that the critical events in our lives enjoy. The settled, stable meaning of self-representations reside "inter-subjectively."[45]

This isn't to suggest that there is no merit in Fuller's recommendations. Sometimes temporary isolation can act as an enabling condition for the activity of self-understanding. Just as taking a nap can help solve mathematics problems by improving the enabling conditions of doing math--e.g., one's cognitive acuity, temporarily isolating oneself can help one understand oneself by improving the enabling conditions of the activity of self-understanding—for instance, by taking one away from misleading evidence and the influence of pernicious social categories.

However, just as naps are insufficient for solving word problems, reflecting on oneself in isolation is not sufficient for formulating adequate self-descriptions. Brison's self-understanding was rendered obsolete by her traumatic experience, then paralyzed by the negative influence of the misleading receptions of others, minimally improved through isolated self-reflection, and finally improved dramatically by being in conversation with *the right* others—with her therapist and survivor support group. That is, Brison is only able to answer the characteristic questions of self-understanding ('what just happened?' 'how did I get here?' 'who am I now?') to her own satisfaction once she has carved out a shared interpretation of what happened to her with a sufficient number of

[44] Brison 2002, 78
[45] Smith & Watson 2001, 5.

significant people. Isolating herself from her colleagues, friends, and family and reflecting on her experience did not result in an understanding of herself that was adequate for uninterrupted navigation of her daily life. However, once Brison acquired a shared reality with a community of people who were significant to her, she felt able to resolve her central questions about who she now was in the aftermath of her traumatic experiences.

III. Relational Self-Understanding

I contend that the individualistic conception of self-understanding implied by Fuller's and Thoreau's commitments to social isolation is misleading. On both my relational view and on the individualistic conception—what I will call the 'Walden Pond Conception' of self-understanding (WPC), self-understanding is an achievement; it is something one must work toward. The conceptions differ in characterizing the nature of that work. The WPC suggests that the answers to the questions like 'what has happened to me?', 'how did I get here?', 'what do I value?', 'who am I now?' are, in an important sense, already "in you", and the labor that one must perform to acquire answers is just to excise the external, often social distractions that obscure the data of one's inner life. I do not deny that directing one's attention to one's inner life can sometimes be a useful exercise for the project of understanding oneself. But I do deny that the answers to the relevant questions are always, or even often, "already within us" and consequently discoverable with a suitable amount of self-reflection. Rather, achieving satisfying answers to these questions depends on enjoying a measure of shared reality with others. And a shared reality isn't something that one acquires (in any usual scenario) merely by reflecting on one's attitudes and experiences. Rather, one typically gains insight into who one is—which, significantly, includes being able to understand one's relationships with others—either through interactions with the

relevant others *or* by taking up the perspective of another during one's own exercises in self-reflection.[46]

That is, understanding oneself involves grasping how one stands in relation to others. This includes more than, e.g., being able to name the relations one stands in, or remembering the history of one's interactions with the significant people in one's life. Rather, it includes appreciating the impact that others have on the very process of understanding oneself, as well as appreciating the impact that others have on the criteria of success for understanding oneself. In other words, self-understanding is subject to what I'll call an "evidence effect" and a "selection effect".

i. Evidence Effect: The receptions of others impact the trajectory of the activity of self-understanding. How others receive one provides evidence about oneself. Further, taking up the perspective of others (including imaginary others) facilitates (and may even be necessary for being successful in) the activity of understanding oneself.

It seems uncontroversial that the way that others react to us affords us evidence about ourselves. For instance, if people tend not to laugh at my jokes, that is certainly evidence of the quality of my sense of humor. Less straightforwardly, many of the most important features of ourselves are what Jones (2008) and Westlund (2014) call *trajectory-dependent*: whether or not one enjoys a particular feature at a given time depends on what one does or what one is like at another time. Jones' paradigmatic example is being in love. Westlund extends Jones' model of trajectory-dependence to the property of caring more generally. So, whether one is accurately describable as, for instance, a "budding environmentalist" at a time will depend on one's future

[46] Here are some claims that I'm not yet making but will certainly explore in future research: 1. You can't be a (genuine) self unless you exist within a social structure—or, related, 2. the self is essentially/constitutively relational.

actions after that time. (Will one major in environmental sciences, attend protests, join a non-profit, etc.? Or will one's passion for conservationism fade in a few months' time?) Given that so much of who we are is trajectory-dependent, understanding oneself requires thinking of oneself in temporally extended terms. (E.g., 'I am an environmentalist, and that's what explains my history' vs. 'I flirted with a bunch of different vocations including being an environmentalist before finding my true passion: figure-skating', etc.) Thinking of oneself in temporally extended terms requires a certain kind of perspective-taking. One is subjecting one's synchronic self to a diachronic evaluation: I am someone who has a certain set of cares/commitments *because* I have both behaved in certain ways/believed certain things/etc. in the past and plan to behave in certain ways in the future. Taking up the perspective of an empathetic other afforded Brison insight into the fittingness of her own responses to her assault: "It was only when I managed to write a narrative of my assault, several months after the attack, and then *read* it, that I realized, 'My God, what a horrible thing to happened to someone!'"[47]

ii. Selection Effect: The reception of others impacts the target of the activity of self-understanding. The reception of others partially determines what about us (our histories, our social positions, our choices) is important by persistently raising those things to salience. And the targets of self-understanding are the important features of oneself. So, the reception of others sets the targets of self-understanding and in so doing partially determines what counts as successfully understanding oneself.

Certainly, people can be wrong about us. So, for instance, I could believe you're a coward and treat you like a coward even when you're courageous. Treating you like a coward doesn't

[47] Brison 2002, 73

make you a coward, but it does render salient your dispositions to action under dangerous circumstances—and in so doing, it makes this feature important. People can also be mistaken about what *should* be important about us. So, I could correctly believe that you're, e.g., a beautiful woman. And those could be features of yourself that, were it not for my treatment of you qua beautiful or qua woman, would not have been important to you. Indeed, it could be that those features *should not* be important—or, at least, not as important as I take them to be. Nevertheless, because you are confronted by my treatment of you qua woman, (or inescapably confronted by a range of others' treatments of you qua woman), being a woman becomes an important feature of yourself, and consequently becomes a target of self-understanding.

IV. Narrative Self-Explanations are Ideal Vehicles of Self-Understanding

In this section, I'll make the case that narrative self-explanations are more suited to the task of self-understanding than are: sets of unordered beliefs about one's history & disposition; endorsed principles of action; or fixed preference orderings to be maximally satisfied. Narratives are especially excellent vehicles of self-understanding because: (i) the affective closure that they provide invites others to endorse one's assessment of the meaning of significant events in one's history—and self-understanding depends on enjoying a shared reality with (at least some, significant) others; (ii) narratives are temporally structured and (iii) narratives are revisable in a way that allows one to remain accountable to past versions of the newly altered narratives.

To review from the previous chapter, narratives (1) organize two or more events in relation to each other, and (2) in mutual relation to an outcome. And narratives must do this by (3) establishing the emotional significance of the events they organize. The organizing mechanism by which events are related to an outcome is affect. It is through the motivation of affect that narrative acquires its explanatory force. Narratives make sense of the events they

describe by imbuing those events with a trajectory of emotional meaning.[48] So, when narratives are deployed as explanations, one of their distinctive features is that they aim to settle the meanings of their explananda by establishing how we ought to feel about them. Narrative explanations aim to explain not just what happened and how it happened, but also the emotional meaning and significance of their explanatory targets.

This affective resonance invites shared meaning—and self-understanding depends on some set of one's significant acquaintance acknowledging the fittingness of one's self-representations. The literary conventions of autobiography underscore this feature of narrative; when one writes in narrative form one invites one's audience to share the affective meanings ascribed to the collection of events that the story describes. Whereas sterile "reporting of the facts" (vs narrative form) may invite shared beliefs, it does not necessarily invite shared affect - not automatically. And even a statement included like "and you should feel this particular way about this series of events" again invites critical distance and reflection on the truth of that claim. Conversely, narratives invite suspension of disbelief. They do not explicitly suggest that their audience should feel a certain way about the events they describe; instead, the form itself sets the audience up to follow an affective trajectory—just as the background music of a horror movie sets one up to feel scared. As Smith and Watson put it, "the emphasis of reading shifts from assessing and verifying knowledge to observing processes of communicative exchange and understanding."[49]

In addition to the affective resonance that narrative self-explanations provide, narratives are temporally structured in a way that facilitates the persistent revisions involved in formulating increasingly adequate self-representations. Self-understanding requires revisability and narratives

[48] Velleman 2003; Bless & Forgas 2000; Slovic, Ficunane, Peters & MacGregor 2002; Ask & Landstrom 2010
[49] Smith and Watson 2001, 13

are revisable in a very particular way, which leaves some elements intact. Our own revisability goes forwards and backwards (in time). Typically, when we talk about 'revising' our beliefs, what we mean is that, given our new evidence, we reject and excise some beliefs in favor of others. That's not quite what goes on when someone revises the story of her life. Instead of pure excision, there is often a remainder of who she was, who she took herself to be before in who she is (differently) now. When we re-evaluate ourselves, when we ask questions like those that Brison and Strayed asked (e.g., who am I in the face of what has happened?) we do so in a way that goes both forward and backward. As Brison characterizes it: "earlier events can come to have new meaning (or become meaningful for the first time) in light of insights gleaned from later events. Building the cognitive structure to hold a life's narrative takes time, and earlier bits need to be revisited. The past continually changes as new parts of the pattern of one's life emerge."[50]

Strawson (2004) and Harrelson (2016) offer two objections to narrative self-explanation as a (good) vehicle of self-understanding: the skeptical argument from memory revision[51] and the skeptical argument from memory selection.[52] The argument from memory revision marshals a concern that stories about ourselves are created out of our memories, and each time our memories are retrieved & deployed, those memories alter. So, since our self-stories are based on items that represent the world differently (and potentially less accurately) over time, we have some reason to worry that the more we tell stories about ourselves over time, the less accurate those stories become. So, rather than being a vehicle for self-understanding, narrative self-explanation might instead inhibit self-understanding. This worry about memory revision is

[50] Brison 2002, 111
[51] Strawson 2004
[52] Harrelson 2016

coupled with a worry about biased memory selection in the argument from memory selection. So, for instance, if I think of myself as a brave person them memories of being brave will be more salient than memories of being cowardly. And the narrative of myself that I form from these memories may ultimately paint an inaccurate picture of me, and so inhibit self-understanding.

However, it seems clear that these are not special problems for narrative explanations of oneself. The worries about memory revision ought to extend to any kind of explanation (or inquiry) that deploys memories. And worries about biased memory selection sound a lot like standard worries about confirmation bias. Consequently, these concerns don't present worries that are particular to narrative self-explanation.

V. Conclusion

In this chapter, I've aimed to motivate an account of self-understanding as the time-extended activity of producing and sharpening self-descriptions that enable one to navigate one's present and successfully plan for one's future. By examining Brison's and Strayed's achievements in self-understanding, I've suggested that success in this activity depends ultimately on enjoying a shared reality with others; one cannot hope to achieve sufficient self-understanding in isolation. This is because self-understanding ineliminably involves trying oneself out before others. Given these features of self-understanding, I've suggested that narrative self-explanations are the most perspicuous vehicles for self-understanding; narratives invite shared affective meaning for the events they describe and are temporally ordered in a way that makes them amenable to revision on the basis of new information.

Chapter 4 Ongoing Responsiveness as an Ideal of Sexual Interaction

This chapter takes up the ameliorative challenge presented in Chapter 2: "Narrative Explanation and Misunderstanding" and focuses directly on altering our collective interpretive resources. Recall the epistemic trouble plaguing Danovich following her experience of sexual assault: she faced persistent difficulty understanding the normative significance of that experience and in successfully communicating that significance to others. She was unsure of whether her experience qualified as rape. I argued that this difficulty arose from the function and widespread acceptance of dominant rape narratives. One strategy to try to combat the pernicious influence of dominant rape narratives is to offer alternative conceptions of rape with which to build better narratives. In this chapter, I'll argue that Catharine MacKinnon's account of rape as forced sex offers a better characterization of rape for the purposes of combatting the kinds of epistemic difficulty faced by survivors like Danovich than does a conception of rape as nonconsensual sex. And, further, focusing on MacKinnon's standard of 'welcomeness' rather than a standard of consent offers a better regulative ideal for high, stakes intimate encounters.

Philosophers and legal scholars typically have three desiderata in mind in characterizing rape and its distinctive wrong(s):

(1) the characterization gets the cases right--it accords with our reflective intuitions about what counts as rape;

(2) it makes rape reliably, successfully prosecutable by law; and

(3) it makes sense of rape as a distinctive and unified phenomenon—perhaps not perfectly unified, but sufficiently unified as to form its own kind/category of crime.

When we focus our attention on violations of consent as the central component in our characterization of rape--as so many legal & philosophical scholars have—we begin to develop a picture of rape where the distinctive wrong is a violation of sexual self-determination. Consent is about granting permission, and in the sexual case, this permission involves how things go with one's sexualized body. Note that not all constraints on sexual self-determination are wrong, so what makes them wrong in the case of rape is the way in which the constraints are enacted: through dehumanization or other forms of objectification. However, dehumanization and objectification fail to capture what's going on in some central cases of acquaintance rape. In some of those cases, assailants sincerely but mistakenly believe themselves to be satisfying the preferences of their victims—not ignoring or purposefully thwarting those preferences.

Of course, rape is undeniably a multifarious phenomenon, and part of that is a result of the varied motivations of assailants. However, I contend that there is a better way to satisfy criteria (1) and (3) if we switch to a more dynamic model of rape than nonconsensual sex can provide. Additionally, while not giving up on (2), we may helpfully distinguish two investigations: an investigation into the characteristic transgression that requires (legal) restitution and an investigation into the wrong that will help sort out desideratum (3).

This chapter primarily concerns the latter investigation. I advocate that we move away from thinking about our negative rights to non-interference and the various kinds of permissions that can (& can't) waive those rights and move toward thinking about our positive rights to certain duties owed to us in high stakes, intimate encounters. Specifically, we are owed (and owe) an ongoing responsiveness to our partners. When you're engaging with someone in an

intimate, high-stakes encounter you have to be continually receptive to how they're receiving your actions-- you should be attuned to discomfort, aversion, doubts, feelings of creepiness, etc.; and you should make adjustments to your behavior on the basis of the information that you're receiving.

This isn't a call for 'mind-reading,' but is instead a call for directed attention to manifestations of the negative reactions I detailed above--manifestations of behavior which are catalogued in our publicly available lexicons of meaning. This allows us to understand the connection between cases of paradigmatic rape and cases of sexual misconduct that include consent, while maintaining that there can be different degrees of severity of wrongness across cases. Rape as nonconsensual sex offers a binary model of the distinctive wrong of rape; differences in the degree of severity or wrongfulness of different cases of rape then depend on presence of additional wrongs over and above the distinctive wrong (violation of consent). Rape as a violation of a duty to ongoing responsive to the other in intimate, high-stakes situations offers a degreed perspective on the distinctive wrong of rape without having to appeal to additional wrongs. I see this ongoing responsiveness model as a friendly development of Catharine MacKinnon's 'welcomeness' standard.

The chapter proceeds as follows. In the first section I offer an explanation of what I take to be the strongest version of a model of rape as nonconsensual sex and then detail the difficulties with this model. A narrow focus on permission-granting as the distinguishing marker between permissible and impermissible sex obscures from view the other duties we owe to each other in intimate, high-stakes encounters and also fails to capture some cases of rape as genuine instances of rape. The second section argues that MacKinnon's model of rape as forced sex better enables us to accurately represent the phenomenon in a way that satisfies (1)-(3). Then, the

third section explains and defends ongoing responsiveness as a regulative ideal for social-sexual interactions.

I. Rape as Nonconsensual Sex

Contemporary discussions of rape in scholarly, legal, and institutional contexts overwhelmingly characterize rape in terms of nonconsensual sex.[53] This is certainly an improvement over vestigial conceptions of rape as a violation of a bodily property right, as 'sexual expropriation'—particularly, those which imagined the property right to be enjoyed by someone other than the survivor herself (e.g., her father or husband).[54] However, centering our conception of rape around consent obscures both (i) the distinctive wrongs that unite cases of rape and other, similar sexual violations and (ii) the duties that we owe to each other in sexual contexts beyond permission-seeking. In this section, I'll offer a rehearsal of what I take to be the strongest accounts of consent and nonconsensual sex, and then explain the distinctive wrong of rape that follows from such accounts—namely, dehumanizing violations of sexual self-determination. The section will close by offering three objections to conceiving of rape as nonconsensual sex.

I.1 Consent

At a high level of generality, to consent is to grant permission. When one successfully grants permission, one alters normative reality—specifically, the structure of obligations or, at least, what sets of actions are permissible and impermissible. Consent is a procedure that allows us to

[53] See, e.g., 2013 Campus Sexual Violence Elimination Act; 'Consent is Sexy' campaign; "Definitions: Consent," Office of Sexual Assault Prevention & Response, Harvard University, http://osapr.harvard.edu/pages/consent; "Definitions: Consent," Student Sexual Misconduct Policy, University of Michigan, http://studentsexualmisconductpolicy.umich.edu/definitions.; Archard (2007); MacKinnon (2016).
[54] See M. Anderson (2005a) and (2005b) for rich discussion of historical precedents in British and American rape law;

relieve ourselves of standing rights to noninterference across a range of circumstances for specific purposes. That is, consent facilitates what Dougherty (2015) identifies as intimacy, alteration, and mutual use:

> Intimacy: "against a backdrop of duties shielding the private aspects of our lives, consent facilitates intimacy when it is invited"
>
> Alteration: "against a backdrop of duties protecting the integrity of our bodies and property, consent facilitates invited interactions that involve invasion or local damage"
>
> Mutual Use: "against a backdrop of property rights that specify which possessions are out own, consent allows us to share these possessions"[55]

We may contrast a basic notion of consent as the act of permission-granting from *morally valid consent*—which indexes to those occasions on which permission is successfully granted. Most of the action in the literature on consent centers around distinguishing merely attempted consent from morally valid consent. Making this distinction involves both (i) offering an account of what consent consists in—e.g., a mental attitude, a public performance, or both; and (ii) offering an account of what kinds of circumstances vitiate consent. Attitudinal views maintain that consent consists in the formation of the right kind of attitude (most often, *intending*) absent any coercive pressure or serious deception. Conversely, performative views maintain that freely intending is insufficient for morally valid consent—morally valid consent also requires that one's intention be made public by the performance of a communicative (though not necessarily verbal) act.

[55] Dougherty 2015, 244

Dougherty (2013, 2015) compellingly argues in favor of a performative notion of consent. He maintains both that consent can only fulfill its proper functions when it is publicly communicated and that a performative constraint facilitates our ability to hold each other accountable in contexts where permissions are required. Given that consent acts as a procedure for altering our dyadic obligations, that act can only function well if each of the parties relevant to the obligation are aware of the alterations. And, further, if public communication is required for morally valid consent, then Dougherty thinks it will be easier to hold people responsible for acting without permission; there would be no "but I sincerely believed she had the attitude of consent" excuse available.[56]

Which communicative acts count as performances of consent? Anderson (2005b) offers a further distinction about the content of this public communication, contrasting what she calls the 'No' model of consent from the 'Yes' model of consent. The 'No' model requires verbal refusal before sexual penetration for that penetration to qualify as nonconsensual. The aim of the 'No' model is to relieve individuals of a (formerly ubiquitous, but still prevalent) legal requirement to resist to the utmost of one's ability before sexual penetration qualifies as nonconsensual. So, the 'No' model positions the public act of communication as semantic refusal. By contrast, the 'Yes' model requires affirmative permission before sexual penetration in order for the penetration to count as consensual. Certainly, the 'Yes' model seems more in line with the spirit of Dougherty's (2015) performative notion of consent. However, some proponents of the 'Yes' Model maintain that silence accompanied by certain behaviors (e.g., "sexual petting",

[56] It seems unlikely to me that a public performance requirement will insulate one effectively from violations of consent where violators sincerely but mistakenly believe that their partners have consented. As Kahan (2010), Langton (1993), and Bauer (2013) have insightfully pointed out, sexual contexts are ones in which communicative acts of refusal reliably misfire. Given our cultural saturation with conceptions of refusal as foreplay it is very possible (and, as Kahan's psychological studies demonstrate, actual) that sexual partners will sincerely believe that a verbal 'no' signifies a publicly performed act of consent.

"passionate kissing and hugging") equates to affirmative permission—so there is some worry that the 'Yes' model may collapse into the 'No' model once sexual interaction is underway.

In addition to the requirement of public communication, an act of permission granting must not be occasioned by coercion or deception in order to count as morally valid consent. So, even affirmative, public, verbal performances of permission granting will not qualify as instances of morally valid consent if they take place under duress or as the result of significant deception.[57]

I.2 Nonconsensual Sex & Sexual Self-Determination

With a view of morally valid consent in place as performative, public, and free from coercion and significant deception, we may begin to apply the concept to our account of rape. We may initially be tempted to characterize rape as sexual penetration that takes place absent morally valid consent—or, as Archard (2007) puts it, 'sex-minus-consent'. Archard and Brison (2002) both offer criticism of this formulation of rape as sex that lacks a particular feature, and each makes an analogy to misleading formulations of murder as 'assisted suicide minus consent' and theft as 'gift-giving minus consent'. Instead, Archard encourages an alternative formulation of rape as 'sex-without-consent'—which he takes to better signify the qualitative difference between acts of rape and other sex acts.

Conceiving of rape as nonconsensual sex—as 'sex-without-consent'—positions us to identify the distinctive wrong of rape as a violation of sexual self-determination. Of course, there may be

[57] Dougherty's (2013) deception criterion maintains that any deception about a 'deal-breaker' feature of a sexual interaction will vitiate consent. That is, if the consentor would not have consented to the activity had she been aware of the truth about this feature of the sexual interaction, then her permission-granting does not qualify as morally valid. So even in cases of deception where that deception may seem comparatively minor to most people—e.g., if one were to lie about one's natural hair color—such deceptions vitiate consent when they would be sufficient for the consentor to have changed her mind about granting permission—e.g., she would not have agreed to have sex had she known the truth about one's natural hair color.

aggravating wrongs (including physical and psychological injury) involved in acts of rape, but the wrong which unites each case of rape and makes them to be the kind of crime that they are is a violation of sexual self-determination.

Archard offers a useful taxonomy for characterizing the wrong of nonconsensual sex. He distinguishes 'hurts' – experienced pain, displeasure, discomfort; from 'harms' – setbacks to one's interests; and 'wrongs' – unjustified setbacks to one's interests. So, even in cases of nonconsensual sex that do not cause hurt (e.g., penetrating an unconscious person in such a way that the penetration is not detectable once they've regained consciousness), one is harmed. And one is harmed because we have an interest in sexual self-determination. As McGregor (1994) puts it, acts of nonconsensual sex undermine one's control over one's own body, and the severity of this wrong has to do with "the special importance we attach to sexual autonomy."[58]

Of course, we don't always take constraints on our sexual autonomy to be wrongs or even harms. Many of our social and legal prohibitions constrain our sexual choices in ways that we take to be warranted; e.g., doctor-patient and student-teacher relations are often prohibited. Beyond being an unlicensed constraint on sexual self-determination, Anderson (2005a) also contends that the distinctive wrong of rape ought to reference the method by which one's sexual self-determination is undermined in cases of nonconsensual sex—what she calls "sexually invasive dehumanization." [59] What is wrongful about nonconsensual sex is that it undermines one's sexual self-determination in a way that involves treating one as unworthy of consideration, as one who either does not have interests (e.g., as lacking in subjectivity) or whose interests do

[58] McGregor 1994, 236
[59] M. Anderson, 2005a, 643

not count. That is, when conceived of as nonconsensual sex, rape amounts to an especially grievous instance of objectification.[60]

I.3 Will a conception of rape as nonconsensual sex help resolve the epistemic difficulties faced by survivors?

Two questions we might ask about the Danovich case are: will clarifying whether Danovich consented to being penetrated help to resolve her epistemic difficulties? Will it help shed light on the wrong done to her?

After a night spent drinking and talking with friends, Danovich shared a futon with an ex. She awoke during the night to his molestations, pretended to be asleep, and eventually he penetrated her. Whether or not that penetration counts as rape under the nonconsensual sex model will depend on whether agreeing to share a futon with an ex counts as a performance of permission granting—and a capacious permission-granting at that, given that it would need to be permission for penetration to occur at any point while she was in the bed, including while asleep. I should hope that to many readers it will seem clear (perhaps even obvious) that Danovich's assailant proceeded without morally valid consent. However, this wasn't entirely clear to Danovich herself—or to several people for whom she rehearsed these events.[61] So, perhaps if Danovich acquired more clarity about what the concept of morally valid consent involves, her difficulty in understanding the normative significance of her experience would dissolve. However, the upshots of characterizing rape as nonconsensual sex will be to: (A) direct our inquiry toward the public performances of survivors to see whether or not they qualify as acts of

[60] Nussbaum's (1995) seminal account of objectification identifies it as the practice of 'treating as an object what is not an object' and goes on to characterize seven characteristic ways in which we treat objects: as instrumental, as nonautonomous, as inert, as fungible, as violable, as ownable, and as something without subjectivity.
[61] Danovich 2015

consent and (B) to construct social-sexual interactions as transactions permissible after proper permission-seeking has taken place.

Consider another, similar case of sexual misconduct. In January of 2018, Grace[62] rehearsed for *babe* magazine reporter Katie Way the events that took place after a date she went on in September 2017 with Aziz Ansari. Ansari invited Grace to dinner after a week of exchanging flirtatious text messages. Following dinner, Grace and Ansari went back to Ansari's apartment and, at his initiation, began to kiss and fondle each other. At various junctures during their sexual encounter, Grace expressed discomfort. Whenever she stated that she was feeling uncomfortable, Ansari (temporarily) stopped sexual contact. He would then deploy alternative strategies for permission-seeking—requesting that she drink another glass or wine or sit with him on the sofa. Ansari would then request that Grace initiate sexual contact with him (including performing fellatio), Grace would briefly comply, Ansari would begin to orally and digitally penetrate Grace, and Grace would again state that she did not feel comfortable. Eventually, Grace requested an Uber home. After babe published Grace's rehearsal of the encounter, Ansari released a statement saying that their sexual activity "*by all indications was completely consensual" and that he had been "surprised and concerned" to learn that their activity had made Grace "uncomfortable."*[63]

The regulative ideal guiding Ansari's actions during his night with Grace was permission-seeking. Whether or not Grace's resigned acquiescence to Ansari's requests qualifies as consent under the public, performative, non-coercive, non-deceptive conception of consent is, I take it, unlikely—but debatable. The worry, then, for models of rape as nonconsensual sex is not that

[62] 'Grace' is a pseudonym from an article written by Katie Way for *babe* (2018a): https://babe.net/2018/01/13/aziz-ansari-28355

[63] Way 2018b: https://babe.net/2018/01/15/aziz-ansari-statement-28407

they lack the resources to accommodate all cases of rape. It may be that the notion of consent is sufficiently elastic that we could continue to tailor it to fit with our reflective intuitions. Rather, the worry is that conceiving of rape as nonconsensual sex foregrounds the wrong regulative ideal for sexual interaction. A narrow focus on permission seeking opens up space for conduct like Ansari's.

Further, Ansari's surprise and puzzlement are concerning. Of course, it's possible that his expression of puzzlement is mercenary, and in many cases of sexual misconduct such puzzlement very well may be mercenary. However, it may also be genuine—particularly given Ansari's track record as a social activist. As we've seen, conceptions of rape as nonconsensual sex characterize the distinctive wrong of rape as a dehumanizing violation of self-determination. Ansari, familiar with the characterization of rape as nonconsensual sex, may have seen the events of that night as both (i) not foreclosing on Grace's set of choices, given that he was issuing requests rather than commands and ordered a car for her once she asked for one and (ii) not dehumanizing. The events would not be dehumanizing if Ansari hadn't failed to take into account Grace's preferences—her subjectivity. Of course, failing to take into proper account Grace's preferences is precisely what happened. But until Grace explicitly stated that she wanted to go home, Ansari may have been operating under the assumptions of what Bauer calls the 'pornutopia': "the porn world encourages us to treat ourselves and others as pure means…to respect your own and other people's humanity, all you have to do is indulge your own sexual spontaneity."[64] In many acquaintance-rape cases, our pornographically saturated culture encourages one to think that to satisfy oneself is to satisfy one's partner—that one (and,

[64] Bauer 2013, 5

especially, women) will always want sex, particularly after a romantic date. And satisfying the preferences of another isn't dehumanizing.

Part of the purpose of consent, as Dougherty (2013, 2015) insightfully captures, is to carve out common ground for what we can and cannot do to and with each other. But consent can only fulfill this function against a background where we share a sufficient number of conceptual resources—where one party isn't operating under the assumptions of the pornutopia. What's gone wrong in Grace's case and in Danovich's case isn't (just) a failure of adequate permission-seeking. As I'll argue in the next section, it's a failure of ongoing responsiveness to one's partner.

II. Forced Sex as Unethical Sex

MacKinnon's alternative conception of rape as forced sex offers a characterization that bypasses the worries plaguing conceptions of rape as nonconsensual sex. By foregrounding force, MacKinnon directs our attention to the external conditions under which permission seeking and granting take place—so that one is required to consider not just *whether* consent has been given, but also *why.* This shift in focus enables us to more clearly identify what goes wrong in cases like Grace's experience. I begin the section by surveying MacKinnon's own worries about conceptions of rape-as-nonconsensual-sex and close by explaining her account of forced sex.

II.1 MacKinnon's Critique of Rape as Nonconsensual Sex

MacKinnon catalogues two worries about consent-based conceptions of rape: first, that too few cases of rape count as rape by the lights of the Non-Consensual Sex (NCS) model, and second, that foregrounding consent leads to an unfair preoccupation with analyzing survivors'

attitudes and behavior to determine whether or not rape happened rather than assessing how perpetrators used their social, economic, or physical power to secure consent.

Consent is too capacious a notion in MacKinnon's view. Too many performative utterances of acquiescence count as consent, and consequently too few genuine cases of rape count as cases of rape under the law: "consent in sexual assault law is consistent with economic, psychological, and social hierarchical threats, so long as severe physical injury (rape itself is usually not considered a physical injury) or life (that one fears HIV if no condom is used may not be included) are not threatened."[65] Mackinnon maintains that we shouldn't just be checking to see whether a sexual encounter was consensual. We should also consider what external conditions the permission-seeker leveraged in order to obtain permission.

A defender of rape as NCS might content that the notion of consent developed in the first section would be able to accommodate this worry be expanding what counts as coercive to include the various hierarchies that concern MacKinnon. However, the mere presence of such hierarchies shouldn't be enough to vitiate consent on pain of overgeneration of cases of NCS (then all heterosexual sex under patriarchy or many instances of interracial sex under racism would qualify as nonconsensual). So, to distinguish performative utterances of acquiescence acts of morally valid consent, one would have to inquire more thoroughly into the reasons motivating the act of granting permission—to see whether the consentor was responsive to her own preferences or to these potentially coercive external circumstances.[66] This already moves us

[65] MacKinnon 2016, 443

[66] Which, incidentally, may be a distinction without a very meaningful difference. As Cudd (2006) and MacKinnon (2016) (among many others) point out, our socialization to our gendered identities determines which choice sets we face while the social hierarchies that we're embedded within determine the consequences for selecting among different alternatives in our choice sets.

partially away from a model of ethical sexual interaction as permission-seeking toward a model of ongoing responsiveness, but not yet far enough.

II.2 Forced Sex vs. Welcomed Sex

MacKinnon insists that we need to externalize our analysis of rape. Instead of fixating on one's attitudes or on one's behaviour as a means of accessing one's attitudes, we ought to consider the circumstances under which sexual interaction takes place—specifically, we ought to attend to the parties' positions in various social hierarchies. What distinguishes sex from rape is not consent, but rather force. Force certainly includes physical coercion, but also "include[s] psychological, economic, racial, and other hierarchical circumstances of compulsion."[67] Rape, then, is an especially egregious manifestation of social (specifically, gender) inequality.

Given the uneven power distribution across social hierarchies, MacKinnon advocates switching from a standard of consent to a standard of welcomeness. Instead of asking 'Can I do this *to* you?' she insists one ought to ask: 'Would it be fun to do this *together*?' Permission-seeking in contexts where the reasons motivating acquiescence aren't immediately, clearly non-coercive can lead to situations like the one Grace found herself in. Further, MacKinnon maintains that "when a sexual connection is mutual, intimate, desired, and equal, nobody consents in the sense of 'mentally accepting without objection the moral or legal boundary crossing'" [68]

III. 'Welcomeness' as Ongoing Responsiveness to the Other

Although Grace occasionally voiced explicit concerns during her sexual encounter with Ansari (each of which he temporarily heeded), she maintains that "most of my discomfort was

[67] MacKinnon 2016, 470
[68] MacKinnon 2016, 465

expressed in me pulling away and mumbling. I know that my hand stopped moving at some points…I stopped moving my lips and turned cold."[69] Grace's reaction ought to have signaled for Ansari that their sexual interaction needed to end. If his social-sexual conduct were regulated by a norm of welcomeness—of what I'll call ongoing responsiveness—rather than by a norm of permission-seeking, the harms Grace endured may not have occurred.[70]

Before characterizing our duty of ongoing responsiveness, it's important to note that this duty is a moral requirement and not a legal one. In our attempts to characterize sexual misconduct in ways that will help facilitate the epistemic labor of survivors like Danovich and Grace we can separate out two different investigations: (1) identifying the transgression that requires restitution of some kind and (2) identifying what has gone wrong in cases of sexual misconduct that will afford survivors clarity about what happened. The suggestion here is not that failing to successfully exercise the relevant social skill of ongoing responsiveness to one's sexual partners should always be prosecutable by law. This is also not aimed at providing an account of when an assailant is blameworthy or under what conditions blame is mitigated. Nor do I want to directly suggest when a person ought to be punished or excused, etc. Instead, this section aims to offer a hypothesis about at least one thing we owe to each other in our intimate, high-stakes interactions--including the sexualized ones: namely, directed, continuous attention to how one's partner is presenting herself.

Turning our attention to this way of thinking about those interactions will shed some light on one of the distinctive wrongs of rape beyond those tied up with nonconsent: failing in our duty to defer to each other—even in instances where this failure doesn't amount to a total denial

[69] Way 2018a
[70] Of course, some assailants will pursue their chosen course of action in full knowledge of its impermissibility. Neither a standard of consent nor one of welcomeness will insulate individuals from such action.

of subjectivity or autonomy. This redirects our focus to areas other than seeking and articulating explicit permission as a preventative strategy for rape (e.g., campaigns like "Consent is Sexy"). Instead, we ought to focus on cultivating the skill of being attentive to how one's partner is presenting herself against the background of one's own and one's partners social positions. This does not require any mind-reading--although it might appear to be mystical to someone who isn't very good at it, or isn't used to thinking of it *as a skill*. (New technology often looks like magic to the uninitiated, and the same may be true of unfamiliar skills or habits of reasoning.)

Ongoing responsiveness to one's partner requires attending to a range of features both of one's social context and of how one's partner presents herself. You ought to be aware of both your own and your partner's positions within the various social hierarchies that you each occupy, and be cognizant of how those respective positionings might impact the particular context in which you find yourselves during sexual encounters. Of course, you ought to attend to the explicit semantic content of your partner's utterances, but you also should notice tone, expression, body language, etc. Ongoing responsiveness requires being attentive to how your partner is actually presenting herself across all of the avenues that are available for presentation; it requires thinking through more than just whether or not she has uttered an acquiescence or revoked a permission.

Being successfully responsive to one's partner does not guarantee an entirely pleasant social experience. By analogy, the skill of playing tennis doesn't just translate to winning the game. You can play an extremely skilled game of tennis and lose; and you can play in an unskilled manner and win. Whether or not one has deployed a skill cannot be determined by examining outcomes alone. So, you can take someone *as she presents herself* and yet still "lose the game"--that is, have a bad social interaction, in this case have a bad sexual experience.

However, you're *wronging* the person when you behave toward them in a sufficiently unskilled by failing to fully attend to both your social context and to how your partner has been presenting herself. (Or when you purposefully deploy that skill in order to thwart what you have understood to be your partner's preferences.)

This is not an easy skill to master, but neither is it an insurmountably difficult one to acquire. It does limit us sexually. However, one can accommodate an underdeveloped social skill set in the sexual case in the same way that one might in the break-up case: one can attempt to communicate openly and honestly about things and set some policies in anticipation of one's social interactions. One can also acquire deeper knowledge of the structure of our various social hierarchies in advance of any anticipated sexual interactions that can helpfully inform one's policies.

Chapter 5 Conclusion

Reflecting on Brison's, Danovich's, and Strayed's trajectories of self-understanding underscores an appreciation of the facts that: (1) some truths about our lives—about our histories, commitments, values, identities, etc.—are more significant than others. And, consequently, (2) some representations of our lives will be better than others in virtue of the representations' differing abilities to promote access to those more important truths. Though two representations of the same item may be equally accurate, they may nevertheless have different impacts on our abilities to make sense of ourselves and our choices. So, in addition to considerations about accuracy, my research—which lies at the intersection of ethics, epistemology, and social philosophy—asks: What features do, and which features *should*, lend a given representation (or representational schema) normative authority? These questions are especially significant when applied to representations of the social domain, where we are in some sense living through these representations; that is, we collectively have a hand in constructing the reality we live in (social categories, institutions, etc.) in part by using our constructions persistently over time.

I. Do We Ever Face a Trade-Off Between Self-Understanding and Practical Agency?

In this dissertation, I focused primarily on the constraints one faces when attempting to represent oneself to oneself with the aim of acquiring self-understanding. The cases I examined followed a pattern whereby disruptions in self-understanding coincided with (and contributed to) disruptions in practical agency; and, conversely, achievements in self-understanding helped to facilitate a recovery of practical agency—and, especially, of feeling at home in the world.

However, an increase in how well one understands oneself does not guarantee a corresponding increase in practical agency—nor, indeed, in feeling at home in the world. In situations of comparative powerlessness it may be plausible to suppose that an individual faces a trade-off between a clear-eyed appreciation of herself (including the constraints she faces), and her ability to exercise robust practical agency—that is, to select and to *identify with* projects that she takes to be distinctively her own.

The experiences of some members of the Crow Nation discussed in Lear's (2006) are instructive. Plenty Coups, Chief of the Crow Nation during the late nineteenth century, maintained to his biographer Frank Linderman that after the Crow were confined to a reservation, "you know that part of my life [the part after the reservation] as well as I do" (56). Plenty Coups seems to signal with this claim the sense that the events and activities of his life were no longer distinctively *his*—for Plenty Coups makes this claim despite being aware that Linderman could *not* know as well as Plenty Coups about a host of Plenty Coups' achievements and activities during reservation life.

Was it Plenty Coup's clear-eyed understanding of himself in his deeply constrained circumstances that led to a decrease in his ability to identify with his projects? Would diminished self-understanding have preserved some sense that his projects were distinctively his own?

Even supposing that a considered *choice* between self-understanding and some degree of self-delusion is not possible, we may still ask of two lives (or of two time-slices of a single life)—the self-deluded and the clear-eyed—which is better all-things-considered.

A core area of my future research will involve both:

(A) providing an account of the conditions of possibility under which self-understanding and practical agency inversely covary (if indeed they ever do), and

(B) determining how we should evaluate situations where self-understanding and practical agency inversely covary. Are there ever circumstances under which we should say that people who make

sense of themselves by formulating deluded self-descriptions are doing better than people who understand themselves more clearly?

The Stoics offer a strategy for resisting an affirmative answer to (A). For the Stoics, even in situations of the most extreme powerlessness (e.g., slavery), one is still able to pursue the most important project of all: organizing one's cognitive & affective economies in accordance with nature. Does any denial of an inverse covariation between self-understanding & practical agency under conditions of oppression depend on endorsing a specific view about which projects are worth pursuing? I strongly suspect not. Rather, endorsing the existence of a covariation seems to depend on assuming a particular notion of the self—what Walker (2007) calls a 'career self': subjects of lives unified by coherent, persistent sets of plans and projects. If instead we take up a more piecemeal conception of the kind of self who can exhibit practical agency (who can formulate & endorse projects that are distinctively her own), then we may see that one needn't face the kind of tradeoffs described in (A). If correct this will, of course, have consequences for how we should answer the question raised in (B).

II. Epistemic Relations and Hermeneutical Injustice

As I argued in Chapter 2, the epistemic difficulties faced by survivors of rape are attributable in part to a mismatch between the schemas they use to understand their experiences and the actual features of their experiences. But the various theories and models we use to represent the world often exhibit this sort of empirical inadequacy. What, if anything, distinguishes these cases from more pedestrian misunderstandings that arise from any given theory's inability to accommodate new evidence? That is, why do the epistemic difficulties that rape survivors suffer qualify as injustices (when they do)? In this project, I'll answer that question by appealing to the fact that

survivors' epistemic difficulties arise (in part) from survivors occupying the subordinate role in unfairly hierarchical epistemic relations.

In brief, epistemic relations are a species of social relation. Social relations in general are sets or patterns of directed obligations and expectations. Epistemic relations are social relations in which the relevant patterns of directed obligation and expectation are significantly epistemic. As with other social relations, these patterns may instantiate hierarchies. While some hierarchies may be sensible insofar as they are all-things-considered licensed (e.g., professor-student; doctor-patient; etc.), other hierarchical epistemic relations are not. This project would delineate and explain that difference.

One upshot of the project would be an expansion of the conditions under which an epistemic difficulty qualifies as an instance of hermeneutical injustice. Fricker (2007, 2017) maintains that an epistemic difficulty qualifies as an instance of hermeneutical injustice only when it is the downstream consequence of hermeneutical marginalization. However, on my view of epistemic relations, there are a wide range of conditions which may trigger one's occupation of the subordinate position in an unjust epistemic relation; they are not limited to membership in a social category which has faced or currently faces exclusion from the production and dissemination of the dominant hermeneutical resources. My account of epistemic relations will help to explain why those with identical epistemic resources and/or social identities may nevertheless differ with respect to their status as victims of hermeneutical injustice.

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